Besides this classification, the result of such examination shall determine the necessity for sleep; using of overcoat; granting permission of shoe-off; prohibiting to buy foodstuff at the Canteen; and change of food if necessary by the nature of disease. The kind and quantity of food and time of meals shall also be determined. The Military Surgeon shall to the following Day Duty Non-Commissioned Officer, indicate the nature of disease, classification, date of attack, and necessary treatment. He shall also inspect the record of the patient.

Article 46

All toxin and other poisonous medicine shall be kept under lock and key. The Military Surgeon shall keep such keys and on his absence, he shall deposit the keys with the Chief of the guards.

Article 47

The Military Surgeon shall report to the Officials the name of the patient requiring hospital treatment.

Article 48

A general medical examination of all prisoners of war shall be conducted once every month. All concerned Day Duty Officer, Day Duty Non-Commissioned Officer and Party Commander shall be present at such examination.

CHAPTER TEN

POSTAL REGULATIONS (INCLUDING TELEGRAPH)

<u>Article 49</u>

The transaction of mails (including telegraph) for prisoner of war shall be made according to the Postal regulations for prisoners of War in the Prisoners of War Camp, Hong Kong.

<u>CHAPTER ELEVEN</u>

<u>MISCELLANEOUS RULES</u>

<u>Article 50</u>

To visit prisoners of war, the permission of the Governor of Hong Kong Occupied Territory shall be required. The visit shall take place in the presence of the Camp Officials. Only Japanese and English languages are permissible. The place, time and nature of the conversation shall be limited, if necessary, by the officials.

<u>Article 51</u>

Any article and Will left by the deceased prisoners of war shall be sorted in good order by the Party Commander and shall be presented to the Camp Officials through the regular steps.

<u>Article 52</u>

The Warrant Officer or Officer of the higher rank may use the batman selecting among the fellow prisoners of war, and the number is one or under for every two officers.

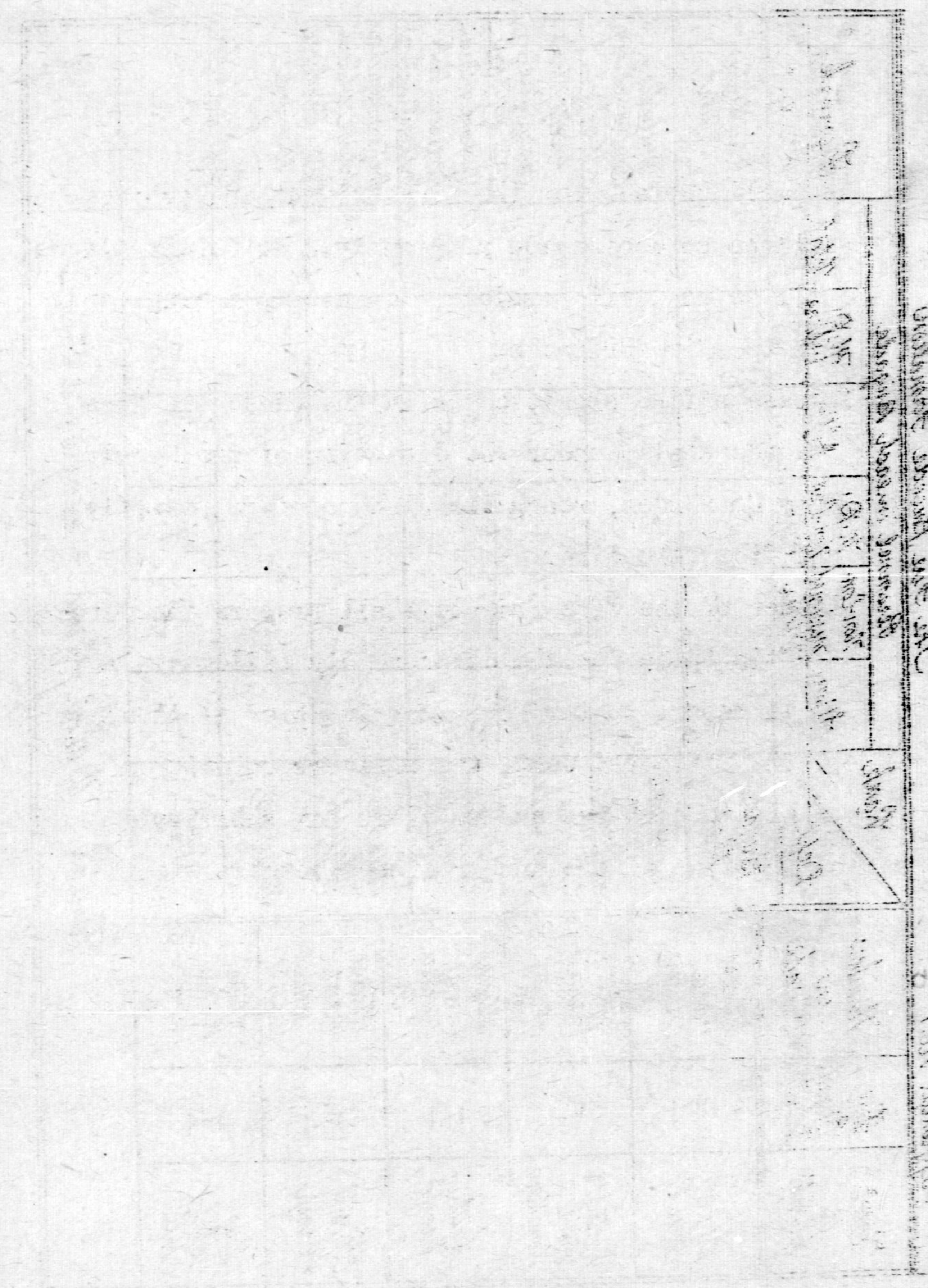
(END)

Appendix No. 1 — The Fire Brigade Formation

Name of Camp	Fire Brigade Formation	Numbers in Brigade
Sham Sui Po	II	Officers and under 120
North Point Hong Kong	I	Officer and under 60
South Camp	I	Officer and under 60
Officers' Camp	I	Officer and under 60
Gun Club Hill	I	Officer and under 60

Rank / Dept.	Personnel in each Brigade						Remarks
	Officer	Non-Commissioned Officer	M.D. Non-Com. Officer	Soldiers	M.D. Soldiers	Total	
Brigade Leader	1					1	Day Duty Officer
Communication Squad		1		2		3	Including Bugler among Soldiers
Fire Squad		1		20		21	Each Man carry fire extinguisher
Destruction Squad		1		10		11	Prepare & Carry Necessary Tools for Destruction
Rescue Squad			1	10	2	13	Prepare stretcher Medical soldiers Carry Bandages
Reserves		1		10		11	Reserved for Brigade Leader
Total	1	4	1	52	2	60	

Dress: Without Arms - Carrying a Towel



- SUMMARY -

1. Assembling place for the Fire Brigade in each camp shall be so designated previously. Different places shall be used, if possible, for a camp having more than two Fire Brigades.
2. In case a fire should occur in the camp, the Fire Brigade shall, under the direction of the weekly Duty Commander, reach the place of fire promptly and fight the fire.
3. Leader of the Fire Brigade shall prepare the fire-fighting plan for the camp and its buildings, and shall report to the Commander-in-Chief of the Camp.
4. In the Officers' Camp, the officers on duty mainly take charge and soldiers may substitute for the shortage of the number of non-commissioned officers.
5. Assembly place is at the East end of the Parade ground for both Brigades.

Appendix 2.

– Daily Time Schedule For Prisoners of War –

Month \ Div.	Reveille	Morning Muster Parade	Breakfast	Medical Examination	Dinner	Conveyance of Order	Supper	Evening Muster Parade	Lights-out
January	7:30						17:30	18:30	
February									21:30
March									
April	7:00						18:00	19:00	
May		8:00	8:30	10:00	12:30	16:00			
June									
July	6. ~~7~~:30						18:30	19:30	22:00
August									
September									
October									
November	7:00						17:30	18:30	21:30
December									

- SUMMARY -

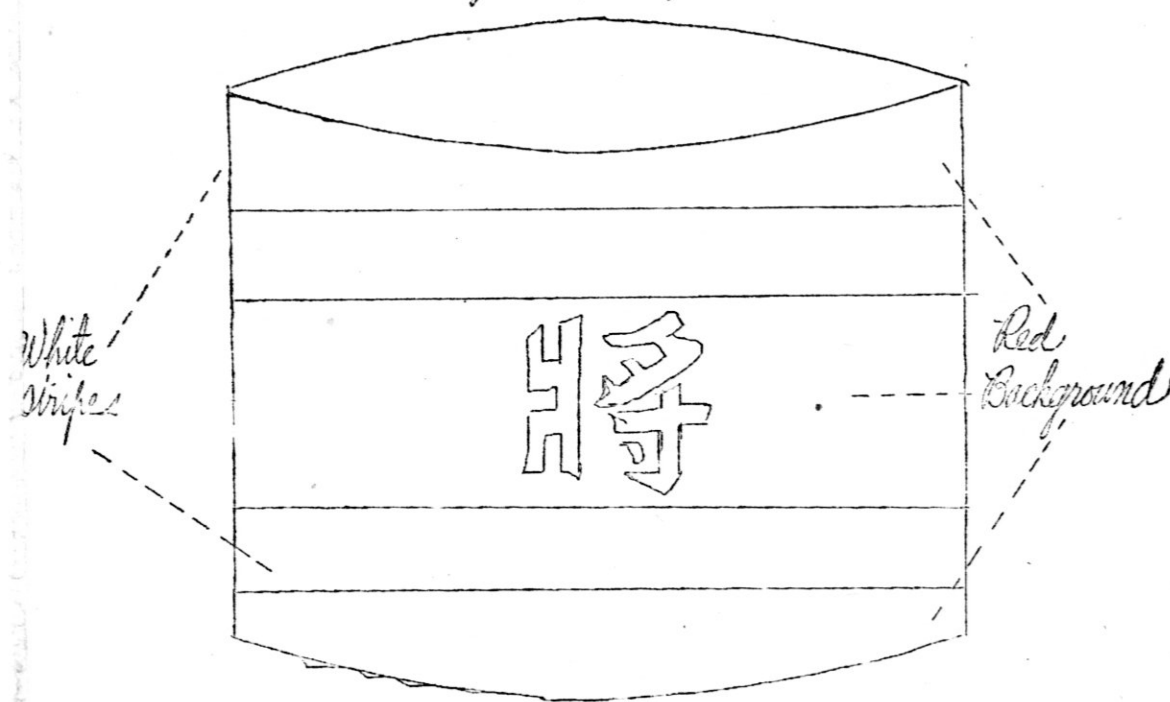
1. One to two hours in every forenoon and every afternoon shall be set aside for an exercise and military drill.
2. General cleaning of the camp shall take place on every Wednesday morning for inspection by the Camp Officials.
3. Time for worship is usually set between the evening Muster Parade and lights-out. Sunday worship may be held at any time.
4. Time for bath shall be notified by another instruction.
5. Labour shall be required, if necessary.

00607

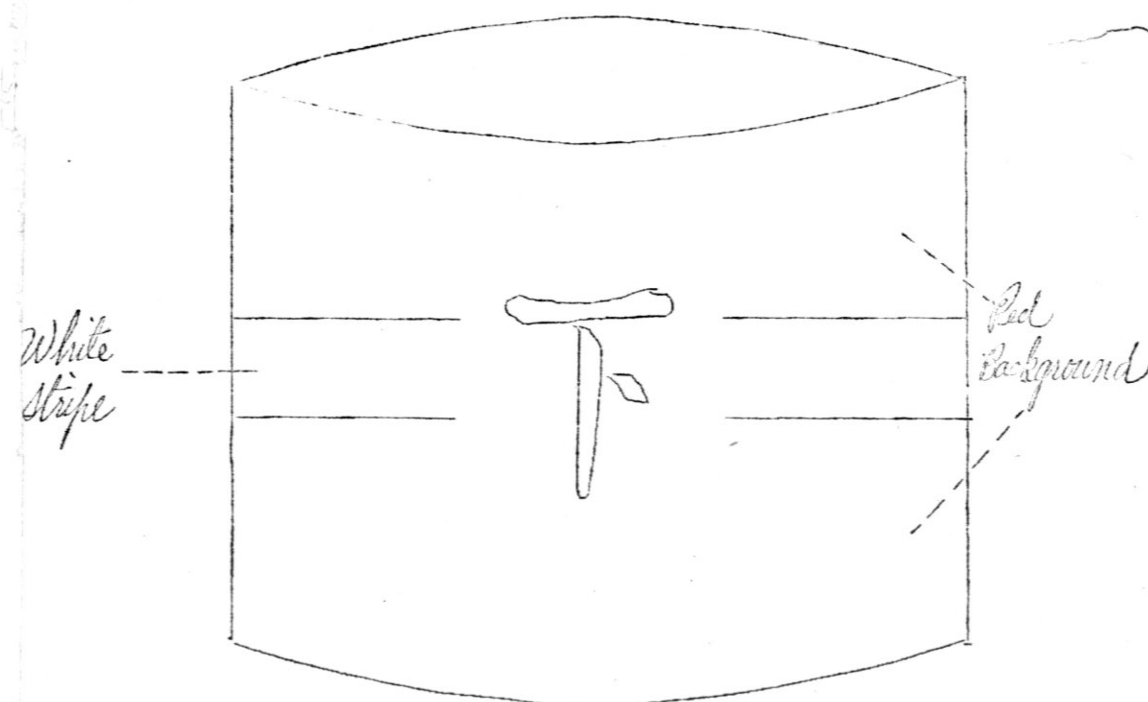
Appended Plan

~ ARM MARKS ~

Day Duty Officer



Day Duty Non-Commissioned Officer



Z(4)
RCL

Extracts from P.42 'The Collection of various regulations concerning POWs'

<u>The Prisoner of War Punishment Law</u>. 9th March 1943
Law No. 41.

The Emperor of Japan sanctions the amendments of Law No. 38 of 1905, which obtained the approval of the Diet, and hereby orders the promulgation of same.

<u>The Prisoner of War Punishment Law</u>.

Article 1. This law shall apply to POWs commiting a crime.

Article 7. In the case of desertion in group, the ringleader shall be liable to the death penalty, life imprisonment, imprisonment of more than ten years, or confinement of more than ten years. The other deserters shall be liable to life imprisonment, imprisonment of more than one year, or confinement of more than one year.

Article 10. If a POW who has already made an oath not to escape breaks the said oath, he shall be liable to limited imprisonment of more than one year or confinement of morethan one year. If a POW breaks other oaths, he shall be liable to imprisonment of less than ten years or confinement of less than ten years.

00908

A (5)
RCL

Army, Asia, Secret, No.4779

(December 1st 1942)

SUBJECT : Treatment of Prisoner of War Patients

TO : Army units concerned

It is hereby transmitted that the treatment of the Prisoner of War Patients shall be administered in accordance with the following regulation, along with the Prisoner of War Treatment Regulation, the Detailed Prisoner of War Treatment Regualtion, the Prisoner of War Supply Regulation and the Prisoner of War Despatch Regulation.

Article I. The treatment of the Prisoner of War patients (henceforth referred to as 'Patient') shall be carried out primarily at the medical treatment institutions in the Prisoner of War Camp (henceforth referred to as 'Camp') However, the Prisoner of War requiring specific medical attention or infectious disease patients may be accommodated in the nearby Japanese Army Hospital on mutual agreement between the Camp Commandant and the Chief Medical Officer of the hospital.

Article II. It is permissible that the treatment of the ~~Prisoner of War~~ Patients may be entrusted to the local physician when it is impossible to apply the above mentioned regulation, owing to the unavoidable circumstances.

Article III. When the ~~Prisoner of War~~ Patients are hospitalized, they shall be accommodated separately from the general patients and, when necessary, the Chief Medical Officer may request the Camp Commandant for the despatch of the guards.

Article IV. In regard to the necessary expenditure for the accommodation and treatment of such patients, it shall be decided separately.

Article V. The distribution and issue of the necessary medical supplies for the treatment in the Camp shall be done in accordance with the Medical Supply Management Regulation. Article 43, and the quantity of the medical instruments shall be determined according to the number of the Prisoner of War accommodated, in accordance with the List No.1. of the Medical Supply Management Regulation.

Article VI. The Patient's Clothings and beddings may be issued to the patient accommodated in the Army Hospital.

Article VII. Control of the Prisoner of War patient accommodated in the Army Hospital shall be done in accordance with the Army Internal Service Book and the Army Hospital Service Regulation.

Article VIII. Documentary evidence such as the clinical sheet and death certificate of the patient shall be made and preserved in accordance with those of the Army.

Article IX. Enemy Medical Staff may be employed to assist the treatment and nursing of the patient in accordance with the transmission No.187. Army, Asia, Secret, dated January 22nd 1942.

B(51)
RCT

Army, Asia, Ordinary, No.466

Transmission to the Army Units concerned in regard to the Expenditure of treatment and Medical Supplies for the Prisoner of War

April 10th 1943 SUGAI Takemaro, Ministry of War Adjutant

It is hereby transmitted that the following agreements were reached with regard to the above mentioned subject.

Article I. Replenishment of the Medical Supplies to the Prisoner of War Camp (i.e. established in accordance with the Military Ordinance. Similar Hereinafter) shall be done from the Army Hospital, the Army Warehouse or the Field Supply Depot in the vicinity of the Prisoner of War Camp.

The General Officer Commanding(including the Divisional Commander and the Governor General of the Occupied Areas. Similar hereinafter) may designate such Army Hospital, Warehouse and Supply Depot responsible for the replenishment of medical supplies, when necessary.

Y.S.
Y.S.

Article II. The General Officer Commanding aforementioned shall make a collective report on all the medical supplies (excluding the ones purchased on consignment or supplied locally), issued to the Prisoner of War Camp, at the end of September and March respectively every year, within the Prisoner of War Internment budget according to the form attached.

Article III. When the Prisoner of War Patients are accommodated in the Army hospital, the General Officer Commanding shall report the number of Patients hospitalized and the duration of treatment (monthly), at the end of June, September, December and March annually.

Article IV. Expenditure of the foregoing Articles shall be defrayed from the Supply and Patient budgets, and, the refund (replacement) and readjustment shall be done by the Ministry of War on the basis of the reports abovementioned.

C(5)

俘虜射殺ニ關スル調

香港俘虜收容所

一、被射殺者

國籍	階級	氏名
英國	兵	ブランソン
〃	兵長	バイレン
〃	海軍巡査	コンネリー
〃	兵	ダン
〃	兵	ステップフォース

二、年月日時

昭和十七年九月十四日　一七三〇

三、場所

香港島大潭塘貯水池南方約八〇〇米

四、射殺ノ概況

香港俘虜收容所ハ當初能フル限リ自由行動ヲ許容シアリタル處北角收容所ニ於テ四名射殺スルノ止ムナキ事態ヲ發生セル迄ニ

三、四件ノ俘虜逃走事件ノ發生ヲ見ルニ至リ其ノ爲上司ヨリ嚴重ナル注意ヲ受ケ警戒方法ヲ嚴格ナラシムル如ク要求セラレタリ依テ所長ハ其ノ旨ヲ受ケ部下職員ニ對シ警戒方法ノ嚴格化ヲ要請スルノ止ムナキニ至リタリ

斯ル際本件俘虜五名ハ逃走ヲ企テ之カ準備工作トシテ家屋ノ地下ニ拔穴ヲ堀リ居タルヲ發見シタルニヨリ同様事犯ノ更ニ生起スルヲ防止センカ爲一應憲兵隊ニ於テ詳細事情ヲ調査スルヲ至當ト思料シ九龍憲兵隊ニ之ヲ依頼シタリ偶々憲兵隊ニ於テハ其ノ頃被告事件頻發シ留置場ナカリシニヨリ赤柱刑務所ニ交渉シ一時同所ヲ留置場トシテ代用スル事ナシ同所ニ移送セラレ度旨申シタルニヨリ當所警備兵ヲシテ自動車ニテ赤柱ニ轉送セシメントシ香島通ヲ筲箕灣ヨリ赤柱ニ向ヒ移送途中大潭貯水池附近ヨリ赤柱寄約五〇〇米附近ニ至リシ際自動貨車ノ故障ヲ生シ之カ修理中警備兵一名（A）ハ該修理ノ容易ニハカドラサリシニヨリ修理狀況ヲ見ム爲下車シ他ノ一名（B）トナリタル際突如五名ノ俘虜ハ逃走ヲ企テ車上ヨリ一齊ニ飛ヒ降リタルヲ以テ大イニ驚キ大聲ヲ發シテ之ヲ制止ス（A）亦大イニ驚キ振返リ見タルニ俘虜第一、第二ハ既ニ其ノ背後ヲ過キテ赤柱方向ニ向ヒ四―五米前ヲ走リツツアリ而シテ第三番目ノ俘虜ノ走リ來ルアリ卽チ之ヲ捉ヘントシタルニ彼ハ矢庭ニ打掛リテ反抗ヲ企テタルヲ以テ事態容易ナラヌト見テ携行ノ銃劍ヲ擬シテ之ヲ防止セントシタルモ益々反抗シ來ルニヨリ抗爭中遂ニ其ノ下腹部ヲ刺突セリ

此ノ間警備兵（B）ハ第一、第二ノ俘虜ヲ追ヒ他ノ一名（A）モ未タ及ハサリシニヨリ遂ニ之ニ對シ發砲シ制止ニ努メタルモ同人等ハ尙モ逃走ヲ斷念スル事ナク約五〇〇米赤柱方向ニ走リタル末道路下ノ海中ニ向ケ飛ヒ込逃走セントセルヲ以テ路上ヨリ（B）ハ之ニ對シ發砲射殺セリ第四、第五ノ俘虜ニ對シテハ（A）警備兵之ヲ追ヒ赤柱方面ニ走リ去ラントセルヲ發砲シテ遂ニ兩名共射殺スルニ至リタルモノナリ

而シテ其ノ死体ハ俘虜墓地ニ埋葬セリ

（報告先　香港占領地總督
　　　　　陸軍大臣）

REPORT ON PRISONERS OF WAR SHOT. - HONG KONG P.O.W. CAMPS. 11.

C(5)

RCL

1. Prisoners of War shot :-

Nationality.	Rank.	Name.
British.	Pte.	Branson. (MX.)
"	L/Cpl.	Byrne. (MX.)
"	P/C.	Connelly. (Dock Police)
"	Pte.	Dunn. (RAOC)
"	Pte.	Stopworth. (RAOC).

2. Time.

1730 hours, 14th September 1942.

3. Place.

About 800 metres south of Tytam Reservoir, Hong Kong Island.

4. Circumstances.

Hong Kong P.O.W. Camp Authorities were at first giving as much freedom as possible to the action of all the prisoners of war, but with the unavoidable shooting of four men which happened at North Point Camp, culminating a series of three or four previous escapes by Prisoners of War and also with the consequent strict warning and demand from his superior officers for the tightening of the guard system, the Colonel Commandant found it necessary to ask the staff under his command to carry out their guard duties with increased rigour. It was at that time that the five prisoners of war involved in the present case were discovered in the process of digging a subterranean tunnel in a building as a preliminary step to make good their escape. At this, the Kowloon Gendarmerie was requested to investigate the details of the circumstances about the attempt, which step was considered as best in order to prevent further occurrence of similar offences.

As it happened there were so many frequent offences under examination at that time, that the Gendarmerie had not sufficient room to detain these five men, so that negotiations were conducted with the Stanley Prison to use it temporarily to detain them. This was arranged and word came from the Prison to move them there. Thereupon a lorry was sent to carry them to Stanley, escorted by the sentries of the Camp. When the lorry came to pass a point about 500 metres on the Stanley side from the Tytam Reservoir, via ~~Kato Street~~ Kashima Road and Shaukiwan, it got into trouble and while it was being repaired one of the sentries (A) alighted from the lorry to see how the repair was going on, as it was very slow, and there was only one sentry (B) guarding on the lorry. Then suddenly the five prisoners of war jumped off the lorry all together, attempting to escape. The sentry (B) was surprised at this and loudly shouted to stop them. The sentry (A) was also greatly surprised, and as he looked round he found the first and second prisoners already past his back running four or five metres away from him in the direction of Stanley. Then he found a third prisoner of war running past him. The sentry tried to catch hold of him but the latter immediately challenged the former in a grapple and put up resistance. This made the sentry realize the gravity of the situation. He thus pointed at him the bayonet which he carried to prevent the escape, but the latter resisted more and more strongly, and was eventually stabbed with the bayonet in the lower abdomen during the struggle.

In the meantime the sentry (B) chased the first and second prisoners of war but as the other sentry, that is sentry (A) could not proceed with him, sentry (B) at last fired at them, trying to stop them. These prisoners of war still did not give up the attempt, running off about 500 metres ~~from~~ towards Stanley, when they plunged from the road into the sea which was just below, hoping to get away. The sentry (B) thereupon shot from the road and killed them. As for the fourth and fifth prisoners of war, the sentry (A) chased them as they tried to run away towards Stanley. He fired at them and eventually both were hit

contd.

and killed. The bodies of these Prisoners of War were buried at the P.O.W. Cemetery.

This report is addressed to the Governor's office of the Occupied Territory of Hong Kong and to the War Minister.

Checked by G. Tong
12.11.46.

Certified to be checked and found correct.

G. Tong
12.11.46.
Interpreter No 7 War Crimes Court.

Camp Office

14

Send Copy to
D.C. MX.
Capt A.B. Allan R.N.D.Y Police
D.C. R.A.O.C
& retain the Japanese Original
& the original typed English
for War Criminals department

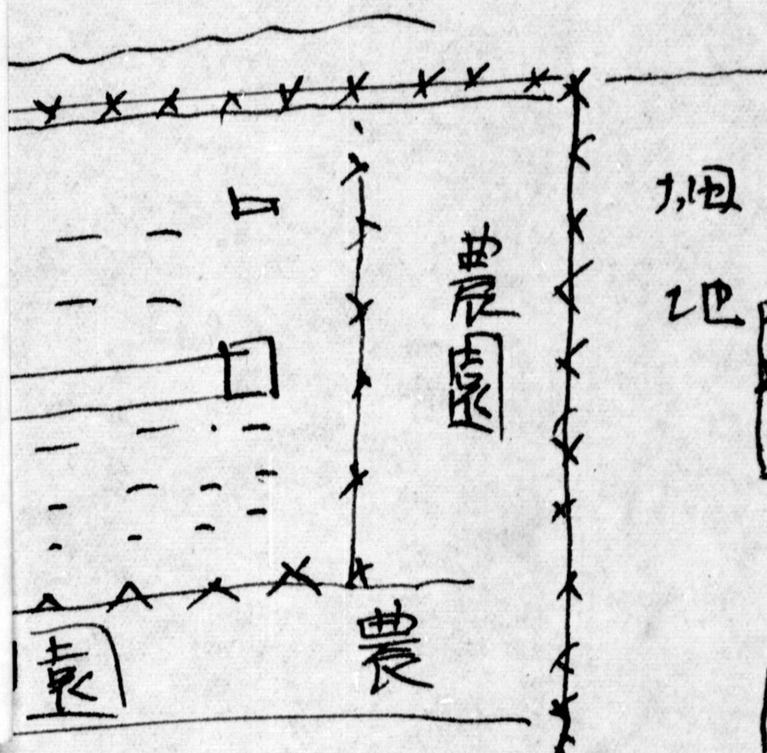
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8

D (5)
RCL

N





畑
地

自動車部隊

大部分家屋(破壊セラレアリ)

所長宿舎

畑 200m

憲兵隊

E

30 a 40m
30-40m

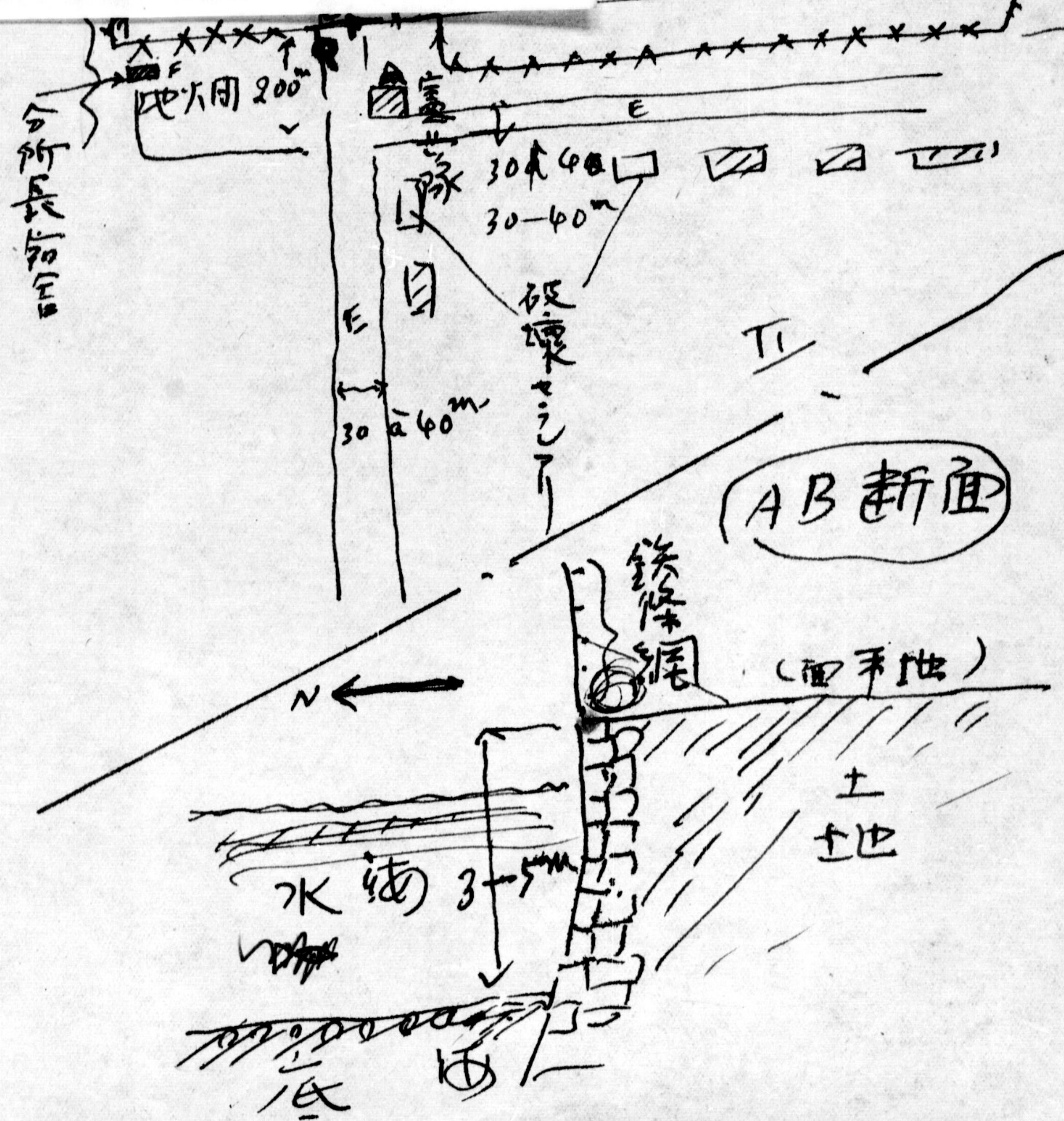
破壊セラレアリ

E

30 a 40m

T1

AB断面



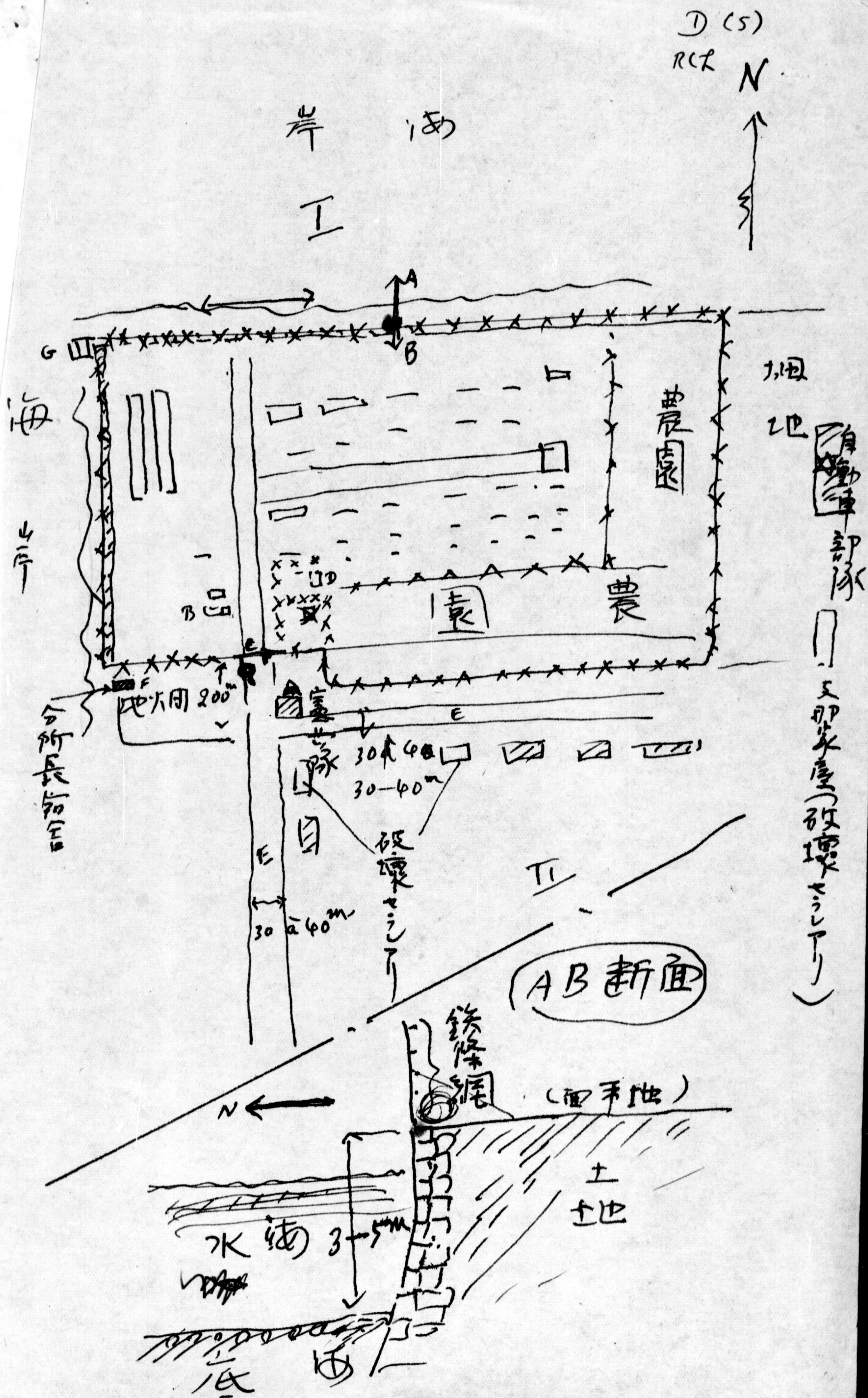

D (5)
N
岸 海
G
F
A
B
E
畑地
農園
自動車部隊
海岸
今所長宿舎
大門 200
30-40m
30 a 40m
破壊セラレアリ
支那家屋(破壊セラレアリ)
AB断面
鉄條網
(平地)
土地
水面 3-5m
N

Exhibit E (5)
RCL.

TO WHOM IT MAY CONCERN.

I hereby certify that the following extracts from the Ledgers and Lists taken by me this day are true and correct copies of the entries in the said Ledgers and Lists. That these Ledgers and Lists are now kept by the Officer i/c Medical Stores, Stores Department, Hong Kong Government, and that the Ledgers and Lists were made under my instructions. That these Ledgers and Lists refer only to items recovered from Japanese Military Sources after the Liberation of the Colony; also that the amounts and items shewn in these Ledgers and Lists do not in any way constitute a record of the whole amount of drugs and dressings recovered for the reason that use had been made of much of the materials prior to the making of these lists and ledgers.

Extract from Ledger No. 3. Folio Thirty. (30)

Date 13/11: Emetin. .02. Ampoules 420.

Date 27/12: Emetine Hydrochlor. ½Gm. Tubes. 1764.

Extract from Ledger No. 3. Folio Thirty One (31)

Date: 13/11. Emetin. .03. Ampoules. 765.

Date: 27/12. Emetine Hydrochlor. 1.c.c. 22 Ampoules.

(Note: The Dates refer to 1945)

C.F. Miles
(C.F. Miles.)
Queen Mary Hospital Hong Kong.
formerly Major. R.A.M.C., D.A.D.M.S. (C.A.) H.K.
30th December. 1946.

00618

00619

F (5)
RCR

Upper Argyll Street Officers' Camp

1942

HONG KONG
P.O.W. CAMP. H.Q.

N.

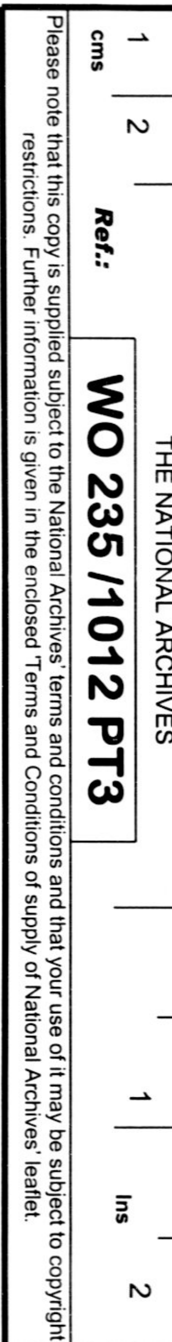
(BACK)

STORE ROOM
STORE ROOM
STAIRCASE
PASSAGE
STORE
ROOM
MR. MAKS ROOM
DINING ROOM
KITCHEN
STORE ROOM
STORE ROOM
KITCHEN
INFORMATION ROOM
TOILET ROOM
TOILET ROOM
TOILET ROOM
TOILET ROOM
(B) 4 P.O.WS.
COL. TOKUNAGA
CAP. KURATA
INTEPRETER NIIMORI
PASSAGE
(A)
CAMP COMMANDANTS ROOM
DRAWING ROOM
SITTING ROOM
DUTY OFFICER'S ROOM
INTERPRETERS' ROOM
N.C.O.'S ROOM
M. I. ROOM
VERANDAH
VERANDAH
(FRONT)

ARGYLL STREET

PRINCE EDWARD ROAD

FORFAR STREET



Saito.

G (5)
RCL.

TO WHOM IT MAY CONCERN

Reference the news item on page two of the China Mail, December 7th, 1946, headed "Witness says 'Stodda' Perfect Example of a Sneak."

This item contains some evidence attributed to W/O F. W. J. Lewis, R.A., concerning my treatment by the Japanese when I refused to sign the parole saying that we would not escape whilst p.o.w.'s in Japanese hands. I do not know on what W/O Lewis based his evidence as I was never in my life in Shamshuipo P. O. W. Camp. As far as I am concerned this evidence, as reported in the China Mail of December 7th, is a tissue of lies from beginning to end. It was not in Shamshuipo Camp that I refused to sign, but at the hospital. I was never taken to Tokunaga's house, nor were my arms on this or any other occasion ever tied up with wire, nor was my nose bleeding, nor did Tokunaga ever lay a finger on me. I was never taken out in company with eight other ranks who refused to sign for the space of fifteen days, as alleged in W/O Lewis' statement. The only thing that happened to me was that I was slapped on the face two or three times by Captain Saito with his open hand in front of all the walking patients in Bowen Road Hospital (where I then was) after he had done the same to Col. Bowie, R. A. M. C. After slapping me, Saito laid his hand on the hilt of his sword as if to draw it, but he did not in fact do so, nor did he hit me again. I was not taken out from the hospital, but merely confined to one room for a time and even this confinement was largely nominal.

It is true that I was in the ~~Gestapo~~ Kempeitai Jail at Shamshuipo and in Stanley Prison later for nearly two years, but this was in connection with the discovery of a wireless set found in our camp at Argyle Street in September, 1943, and ~~this~~ had nothing to do with Captain Saito, nor even (I think) with Col. Tokunaga as the matter was in the hands of the Kempeitai or Gendarmerie.

N.C. read as not material RCL

For what my opinion may be worth, I consider Captain Saito was largely responsible for the deaths of many P. O. W.'s at Shamshuipo Camp and at Bowen Road Hospital during the diptheria epidemic of 1942, since he was the Senior Medical Officer and neglected (whether on his own initiative or on orders from higher authority I cannot say) to provide medical supplies and stores, which were necessary and were available. If this supposition is correct, there is sufficient evidence to convict Saito as a war criminal without concocting such baseless fabrications as are given in the evidence of W/O Lewis as reported in the China Mail of December 7th, 1946.

N.C. read as not material RCL

I am prepared to give this evidence in a Court of Law, or on Oath, or in the form of a Sworn Affidavit if necessary. It can also be given whatever publicity you see fit.

C R Boxer

Major C. R. Boxer
Lincoln Regiment.

December 27th, 1946.

00620

TELEPHONES:
D.M.S. 39659
D.D.M.S. 39660
SECY. 39600
ACCT. 39573
GENERAL 39683

MEDICAL DEPARTMENT,
H. K. & S. BANK BLDG., 1ST FLOOR

HONG KONG, 15th Jan. 1947.

YOUR REF:

OUR REF: M.D. 71/47

Sir,

I have the honour to submit for the Defence Counsel or for such action as you may think fit, a statement concerning Dr.Saito dated the 27th of December,1946, from Major C.R.Boxer,M.C., now in the United Kingdom.

I have the honour to be,
Sir,
Your obedient servant,

[signature]

Director of Medical Services.

Colonel R.C.Laming,
President,
No.5, War Crimes Court,
C/o. Land Forces - Headquarters,
Hong Kong.

CHINA MAIL

ESTABLISHED FOR OVER ONE HUNDRED YEARS

No. 33535. HONG KONG, SATURDAY, DECEMBER 7, 1946. Price: 20 Cents.

GRIM VIEW OF BRITAIN'S FOOD POSITION

Seriously Affected By U.S. Coal Strike

Jewish Terrorists Strike Again

Jerusalem, Dec. 5.

Jewish terrorists tonight attacked the residence of General Barker, Commander of British forces in Palestine. Terrorists lobbed a number of hand grenades into the Arab Legion guard tent inside the wire perimeter ringing the house. No casualties are reported. The attackers were driven off by Arab Legionaries.

Police and military rushed up reinforcements to guard the residence.

Three explosions followed by gun-fire rocked Jerusalem this evening.

Sirens halted traffic. A gun-battle is going on and there is sporadic shooting in all parts of the city.

Three persons were injured in a landmine explosion in one of the city's main streets.

Two people were killed and more than 40 were injured in another terrorist bomb explosion at the military headquarters in Sarafand cantonment, it was learned tonight.

Two British officers were seriously injured.

A curfew has been imposed on roughly one-third of Jerusalem—the northwestern area—until further notice, it was officially stated.

The "Voice of Israel," secret radio of the Jewish resistance movement, declared in a broadcast tonight that the British Army in Palestine was planning "reprisals" for the murders by Jewish terrorists of British soldiers and policemen.

Fuel To The Flames

The radio said: "This method will only add fuel to the flames of terror."

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INDEPENDENT PALESTINE?

Paris, Dec. 6.

Albert Stara, a member of the Hebrew Committee of National Liberation, said in Paris last night that the British Government considered the Palestine mandate had come to an end and that "they intend to proclaim the independence of Palestine soon—very soon."

He was speaking on the formation of the French League for Free Palestine and added: "The consequences would be that a Palestine Government with an Arab majority would be created with which Great Britain would conclude a treaty of alliance on the same pattern as Iraq."—Reuter.

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Strachey warned that bread rationing, introduced for the first time in British history last July, would have to be continued and possibly the bread ration would be reduced early next year. He said the decision would be determined by whether the United States could ship additional supplies of wheat early next year.

"No criticism of any kind is implied or intended to the great trans-Atlantic exporting countries," Strachey said, adding that they were aware of the difficulties their own domestic controversies might cause in other countries.

Strachey added: "The main event affecting our overseas supplies has been a series of labour disputes. Unfortunately, the largest of these is still in progress, namely the strike in the soft coal industry in the United States."

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GRIM VIEW OF BRITAIN'S FOOD POSITION

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another terrorist bomb explosion at the military headquarters in Sarafand cantonment, it was learned tonight.

Two British officers were seriously injured.

A curfew has been imposed on roughly one-third of Jerusalem—the northwestern area—until further notice, it was officially stated.

The "Voice of Israel," secret radio of the Jewish resistance movement, declared in a broadcast tonight that the British Army in Palestine was planning "reprisals" for the murders by Jewish terrorists of British soldiers and policemen.

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Women Were Beaten Every Night

Hamburg, Dec. 5.

Mrs. Odette Sansom, 34-year-old mother of three children, will describe how she heard the screams of women being beaten every night at Ravensbruck concentration camp, the prosecutor stated today when the trial of 16 of the camp's staff opened here.

Mrs. Sansom was awarded the highest British civilian award, the George Cross, recently for her courage under torture in the camp.

Major Stephen Stewart said today that although the camp was built for six thousand or 7.000 women, 40,000 were kept there. But only 12,000 were alive when the Red Army arrived.

Hardened Russian soldiers, he said, were horrified by what they saw when they liberated the camp.

Among the atrocities which witnesses would describe, were: medical experiments which turned healthy young women and girls into grey haired old women; the massacre of between 3,000 and 7,000 women in gas chambers into which they were packed 150 at a time; the killing at birth of children born in the camp; the guards playing with the prisoners by tossing them pieces of bread when they were half, and sometimes more than half, starving; women being thrashed for not working hard enough; women being taken away to be experimented on by doctors and when coming round from the chloroform finding they had been sterilised or had their bones grafted.

More than 30 Allied journalists, photographers and newsreelmen are attending the trial, which is expected to last into next year. Twelve German lawyers represent the prisoners. Women witnesses from ten countries will give evidence—British, French, Belgian, Dutch, Danish, Norwegian, Polish, Czech, Austrian and German nationals.

Ravensbruck was built on the shores of a popular lakeside resort 50 miles from Berlin to the north. All its inmates were women, 90 per cent of whom were Allied nationals, including slave workers and resistance fighters, and none of them had been given trial.—Reuter.

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WE ARE BACKED BY LONDON

Washington, Dec. 5.

Backed by London's financial strength, Hong Kong is outstripping all the Far East in her economic revival while Britain is determined to retain control over her last imperial possession in China, according to a Hong Kong dispatch to the World Report magazine.

The Report pointed out that the return of stability in China could quickly revive the nationalism of overseas Chinese in Hong Kong. Realising that sooner or later Hong Kong will be returned to China, British officials, however, believe that their withdrawal will be delayed by several decades if prosperity in Hong Kong continues.—Central News.

Ambiguity In Govt.

alliance on the same pattern as Iraq."—Reuter.

Border Shooting "Furore"

Canton, Dec. 6.

Chinese newspapers said here today that the British Army in Hong Kong is willing to pay compensation to Chang Tim-cheong and to court martial the soldier who fired the fatal shot.

Public bodies here today telegraphed to the National Assembly demanding the retrocession of Hong Kong and Kowloon.

The Shin Lu Club, a pro-Kuomintang organ, took the lead in the agitation.

Observers here believe that the Kowloon shooting affair will blow over if compensation and other remedies are forthcoming.

The Ministry of Foreign Affairs in Nanking wired to the "Aid to Wong Shiu-cheong Committee" here saying that the question of retrocession of Hong Kong "is proceeding with care on established national policy."—Associated Press.

"Three Shots"

Canton, Dec. 5.

The shooting of the villager Chang Tim-chang was not accidental, declared Mr. Wen Chu-wah, representing "the People's Organization of Pao-an for fighting Chang's case," who arrived here yesterday to report to the authorities.

According to the British, he claimed, Tommies fired three shots in all. This fact, he said, proved it was no accidental shooting.

When alleged that the British, by crossing the river, had definitely violated the Chinese border. He said the line of demarcation was in midstream although the British claim the line is 10 yards north of the river.

Wen will ask the Provincial Council to dispatch men to Pao-an to conduct on the spot investigations.—Central News.

Press Meeting

At the Kam Loong Restaurant, near the World Theatre, yesterday afternoon Mr. Cheung Chung-ying (Chairman) addressed the local Chinese Press on the terms of reference of the "Shumchun Villagers' Aid to Cheong Tim-cheung Committee."

Cheong Tim-cheung unfortunately was fatally wounded by a stray bullet from the British side of the border two or three days ago. The British Army have since accepted full responsibility for the accident after investigation.

Mr. Cheung explained that the aim of the Committee was the raising of funds to finance a propaganda campaign throughout the Po On District, so the people of Po On could be told about the incident. The Committee also intended to erect a monument at Shumchun to perpetuate the memory of Cheong Tim-cheung.

Subscriptions here could be addressed care of the "National Times," Mr. Cheung said.

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A Labour member, Lieutenant-Colonel Rees Williams, had suggested that such a proposal would be met with gratifying response from the Chinese Government and he suggested a visit should take place next summer.

Referring to the question about trade with China, Mr. McNeil said the Chinese Government were presented with the British proposals for a commercial treaty earlier this year and had stated they hoped to begin negotiations in the near future.

Mr. John Paton, Labour member, asked if the Minister was aware that in spite of the efforts being made by the British Consular services, British influence in China was really non-existent. Was is not time that in view of the great desirability of continuing friendly association with the Chinese people, that special steps should be taken to further it?

Mr. McNeil replied that he was willing to consider any special steps.

Mr. Anthony Eden (Cons.) said: "I understand that the British Government desire the closest and fullest commercial relations with China in accordance with suggestions which Mr. Paton has just made."

Mr. McNeil: "Most certainly. To that end we have produced a treaty."—Reuter.

Bombay, Dec. 6.

About 24 people were injured today when the police fired in Ahmedabad, the second biggest industrial city in Bombay Presidency, as an unruly crowd attempted to take out Ta Zias (lath and paper models of the tombs of Hasan and Hussain) to be carried in a procession of the Moslem Festival of Muharran.—Reuter.

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Marshall Rebuffed By Chou

Shanghai, Dec. 6.

In reply to a direct enquiry from General Marshall as to whether or not U.S. mediation was still desired, Communist-negotiator Gen. Chou En-lai, now in Yenan, said that with the opening of the Nanking Assembly "there exists no basis for negotiations between the two parties."

He added that a prerequisite to the resumption of negotiations was the dissolution of the Assembly and the restoration of the military position as it was on January 13.

This reversion to their earlier conditions indicate a stiffening of the Communist attitude as compared with the terms of Chou's "farewell statement" just before he left Nanking.

On the other hand, the Government—heartened by its apparent political success in convoking the National Assembly and relying on its overwhelming military superiority—is determined to make no further concessions of any kind.

It appears to depend on whether or not the Communists decide to take the final decisive step of convoking their own so-called "People's Assembly."

What is certain is that any further large-scale military operations (which, at the best, must last for several months) will aggravate the present sufficiently chaotic conditions of China and this might prove disastrous even for a militarily successful government.

It is believed in some quarters that this latest rebuff may result in Marshall's return to Washington for consultation. Yesterday's statement by Admiral Cooke, of the U.S. 7th Fleet, that part of the U.S. Marine force was awaiting repatriation is considered to be not wtihout significance as implying a possible change in American policy towards China.—Own Own Correspondent.

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Weizmann To Speak To Zionists

London, Dec. 6.

The opening speech which Dr. Chaim Weizmann, President of the World Zionist Organisation, is to deliver at the 22nd Zionist Congress at Basle next Monday will contain a defence of the Jewish Agency's recent decision to back partition as its present policy for Palestine, according to a forecast made by an official of the Agency at a press conference here.

Dr. Weizmann will add, it is understood, that the present policy aiming at the establishment in Palestine of a visible Jewish state (one that is capable of living) in an adequate area represents a concession from the original Zionist standpoint based on establishment of a national home in the whole of Palestine and Trans-Jordan.

The Jewish Agency spokesman pointed out that one of the main tasks before the Zionist Congress will be to decide whether to send a Jewish delegation to the Palestine Conference when it is eventually resumed and he expressed the personal view that it was unlikely to do this. There had, he said, been three obstacles to Jewish attendance.

Three Obstacles

1. Detention of Jewish leaders in internment camps.
2. The basis of discussions at the conference since Jewish representatives could only agree to attend in order to discuss partition.
3. Uncertainty and tension in Palestine due to the British Government's immigration policy.

The spokesman said that the first two obstacles had now been removed by the rrelease of Jewish leaders from the Latrun camp and by the British agreement that if a Jewish delegation attended the Palestine Conference it should be in to order to discuss partition.

The Colonial Office spokesman in London tonight said, however, that no assurance has ever been given the Jewish Agency by the British Government that a Jewish delegation at the Palestine Conference would not be required to discuss the offical British proposals, for a federal solution in Palestine.—Reuter.

ON OTHER PAGES

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A Labour member, Lieutenant-Colonel Rees Williams, had suggested that such a proposal would be met with gratifying response from the Chinese Government and he suggested a visit should take place next summer.

Referring to the question about trade with China, Mr. McNeil said the Chinese Government were presented with the British proposals for a commercial treaty earlier this year and had stated they hoped to begin negotiations in the near future.

Mr. John Paton, Labour member, asked if the Minister was aware that in spite of the efforts being made by the British Consular services, British influence in China was really non-existent. Was is not time that in view of the great desirability of continuing friendly association with the Chinese people, that special steps should be taken to further it?

Mr. McNeil replied that he was willing to consider any special steps.

Mr. Anthony Eden (Cons.) said: "I understand that the British Government desire the closest and fullest commercial relations with China in accordance with suggestions which Mr. Paton has just made."

Mr. McNeil: "Most certainly. To that end we have produced a treaty."—Reuter.

or three days ago. The British Army have since accepted full responsibility for the accident after investigation.

Mr. Cheung explained that the aim of the Committee was the raising of funds to finance a propaganda campaign throughout the Po On District, so the people of Po On could be told about the incident. The Committee also intended to erect a monument at Shumchun to perpetuate the memory of Cheong Tim-cheung.

Subscriptions here could be addressed care of the "National Times," Mr. Cheung said.

Bombay, Dec. 6.

About 24 people were injured today when the police fired in Ahmedabad, the second biggest industrial city in Bombay Presidency, as an unruly crowd attempted to take out Ta Zias (lath and paper models of the tombs of Hasan and Hussain) to be carried in a procession of the Moslem Festival of Muharran.—Reuter.

Marshall Rebuffed By Chou

Shanghai, Dec. 6.

In reply to a direct enquiry from General Marshall as to whether or not U.S. mediation was still desired, Communist-negotiator Gen. Chou En-lai, now in Yenan, said that with the opening of the Nanking Assembly "there exists no basis for negotiations between the two parties."

He added that a prerequisite to the resumption of negotiations was the dissolution of the Assembly and the restoration of the military position as it was on January 13.

This reversion to their earlier conditions indicate a stiffening of the Communist attitude as compared with the terms of Chou's "farewell statement" just before he left Nanking.

On the other hand, the Government—heartened by its apparent political success in convoking the National Assembly and relying on its overwhelming military superiority—is determined to make no further concessions of any kind.

It appears to depend on whether or not the Communists decide to take the final decisive step of convoking their own so-called "People's Assembly."

What is certain is that any further large-scale military operations (which, at the best, must last for several months) will aggravate the present sufficiently chaotic conditions of China and this might prove disastrous even for a militarily successful government.

It is believed in some quarters that this latest rebuff may result in Marshall's return to Washington for consultation. Yesterday's statement by Admiral Cooke, of the U.S. 7th Fleet, that part of the U.S. Marine force was awaiting repatriation is considered to be not wtihout significance as implying a possible change in American policy towards China.—Own Own Correspondent.

Weizmann To Speak To Zionists

London, Dec. 6.

The opening speech which Dr. Chaim Weizmann, President of the World Zionist Organisation, is to deliver at the 22nd Zionist Congress at Basle next Monday will contain a defence of the Jewish Agency's recent decision to back partition as its present policy for Palestine, according to a forecast made by an official of the Agency at a press conference here.

Dr. Weizmann will add, it is understood, that the present policy aiming at the establishment in Palestine of a visible Jewish state (one that is capable of living) in an adequate area represents a concession from the original Zionist standpoint based on establishment of a national home in the whole of Palestine and Trans-Jordan.

The Jewish Agency spokesman pointed out that one of the main tasks before the Zionist Congress will be to decide whether to send a Jewish delegation to the Palestine Conference when it is eventually resumed and he expressed the personal view that it was unlikely to do this. There had, he said, been three obstacles to Jewish attendance.

Three Obstacles

1. Detention of Jewish leaders in internment camps.
2. The basis of discussions at the conference since Jewish representatives could only agree to attend in order to discuss partition.
3. Uncertainty and tension in Palestine due to the British Government's immigration policy.

The spokesman said that the first two obstacles had now been removed by the rrelease of Jewish leaders from the Latrun camp and by the British agreement that if a Jewish delegation attended the Palestine Conference it should be in to order to discuss partition.

The Colonial Office spokesman in London tonight said, however, that no assurance has ever been given the Jewish Agency by the British Government that a Jewish delegation at the Palestine Conference would not be required to discuss the offical British proposals, for a federal solution in Palestine.—Reuter.

ON OTHER PAGES

Ambiguity In Govt. Gazette

Summonses against several department stores were dismissed by Mr. F. X. d'Almada, Central Magistracy, yesterday when he agreed with the defence that there was some ambiguity in the Chinese version of the "H.K. Govt. Gazette."

Those summoned were the China Emporium; Kayamally & Co.; Vanco Co.; Keensen Co.; Union Dispensary; Grand Dispensary; Chup Shing Medicine Co.; Luen Fook Hong; and the Chung Sai Medicine Co.—all charged with selling sanitary napkins above the controlled price.

Admitting this, defendants maintained that no offence was committed, as they followed the Chinese version of the "Gazette," which did not specify the brands of sanitary napkins.

Other summonses were:—

Kwong Sing Hing, 13 Sai Street; fined $100 for selling a tin of condensed milk for $3, the controlled price being 80 cents.

Yung Fook, of the Fai Ying shop, 21 Shingwo Road; fined $20 for selling a 40-watt light bulb for $2.50 (instead of $1.25).

Mr. Y. K. Kan appeared for the defence, and pleaded not guilty, when the China Emporium was summoned for selling twelve bobby pins for $1 when the controlled price was 2 cents each and for failing to affix a price tag. The case adjourned for a week.

THE WEATHER

The anticyclone is moving eastward, pressure now being highest over Eastern China and the Eastern Sea. A deep depression remains to the N of Hokkaido. Pressure is low over the Southern Philippines and over the equatorial region eastward from Borneo.

Today's Forecast: Fresh easterly winds, moderating; fine, becoming cloudy.

Yesterday's weather:
Maximum:—69.5 deg. Fah.
Minimum:—60 deg. Fah.
Max. Rel. Humidity:—84 per cent.
Sunshine:—10.2 hours.
Rainfall:—Nil.

RCL H(5)

Readers' Letters

ARP Wardens

Sir,—Mr. S.A. Gray's statement is most welcome to all ARP members in that above other things it makes known for the first time to the Public the fact that a committee appointed by the Government has been sitting and exploring the question of back pay to the ARP personnel, and that an official statement as to its findings and recommendations will be issued soon.

I regret that I should have raised doubt in the efficiency of the Government as regards the ARP question, doubt that was engendered by rumours and the interpretation of the apparently irresponsible report (or misreport?) in certain section of the Chinese press. However, I must say that the fault lies entirely with the Government for not promptly and effectively correcting the misreport.

In passing, I should think that the Government is sometimes prone to be over-reticent on matters of public interest. The Public is just allowed to be taken possession of by imagination and rumours, which will only lead to misunderstanding and disappointment, as is with the case in view.

Meanwhile, unless and until the Government takes immediate steps to study and implement the findings and recommendations of the committee, which I hope to be fair, with a view to fulfilling its obligation to its loyal workers with the least delay, I shall remain to be a

DISAPPOINTED WARDEN.

* * *

Nissen Huts

Sir,—In reply to "Homeless", I would like to point out that he is slightly out of station. I am trying to set up a home in the land of my birth, and incidently, the country for which I fought. I never volunteered to come to Hong Kong, and even if I did I would make certain I had reasonable accommodation before bringing my wife and family out here.

I think that he could also do far worse in regards to his income, I certainly could not afford to pay 140/- a week for hotel rooms, I'm afraid a large percentage of my pay goes to swell the Government's coffers via income tax, a tax which I believe some people are excused paying.

I have lived in Nissen huts, but I will make certain that my wife and family do not come down to that level. "Homeless" can have his Nissen if he likes, but I intend the Government to work for me, the same as I have worked for them.

All I want is a small plot of land, and a decent house in which to live, I don't think that is asking for too much. Don't forget the old saying. "If everyone was satisfied progress would cease."

HOME SEEKER.

* * *

Nurses

Sir,—In reply to the appeal from the Hon. D.M.S. for enrollment of probationer nurses to the

$200 which includes the $78 for high cost and rehabilitation allowances. This sum is understood to be based on the cost of living figures issued every week by the Labour Office which means that nurses are expected to live mainly on a diet of salt fish and salt vegetables. Surely the standard of living for nurses, who are working amongst the sick and nursing infectious diseases is expected to be higher than that of the coolie class. Only after completing 10 years' service are they eligible for house allowance amounting to $7.50 per month. Does the Government consider this sum sufficient to rent even one small ill-ventilated back cubicle in the slums of the Colony.

A new coolie in the Government starts with $104 per month while a trained midwife gets only $116 per month including all allowances. The recent promotion of some of the very senior unmarried nurses is a long awaited and deserved recognition of their good work which will give them an increased salary, but what of the junior nurses? How much longer are they to keep on struggling faithfully on a wholly unsufficient Government salary. In spite of the many promises made for over a year there has been no real understanding or sympathetic help given to their appeal for better wage allowances, and even the three months back pay for January to March 1942 has not yet been paid them.

It is therefore not surprising that so many nurses have resigned from the service and that there is now an acute shortage of fully trained nurses if the Government persists in stringing along on empty promises.

ANTI-SEPTIC.

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Local Police

Sir,—In view of the prevailing worse and lawless situation, the Community felt very glad to have the new Commissioner's policy regarding the local police force. It is quite obvious that the police force both in higher and lower ranks are still inadequate up to the present moment. At present the population of the Colony is over one million and this will be increasing day by day. On the other hand, the unemployed and lawless elements also proportionately increase. We fully and strongly support the new Commissioner's policy of strengthening the present inadequate force, i.e. to recruit more constables and Chinese Sub-inspectors to cope with the present abnormal conditions, and safeguard the life and property of the citizens especially during the winter time when robbers, gangsters and rascals start to become active. It is the Chinese unanimous and repeated suggestion and hope that the new Commissioner will see to it that police personnel should have no racial discrimination. As the local population is mainly Chinese, the Chinese establishment of higher posts e.g. Chinese

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The brutal killing of Chinese civilians, who were bayonetted and shot in full sight of POWs in Shamshuipo, was also mentioned by witness.

Continuing his testimony, W/O Ellis said that in 1944, POWs were engaged in digging tunnels, transporting and manhandling drums of petrol and shipping and storing ammunition such as bombs, fuses and small arms ammunition. Petrol drums weighed about 500 lbs. and the bombs from 30 to 500 kilos.

There was not one good pair of shoes in the whole Camp. In some cases, men on working parties went to work with shoes held together with pieces of string and in other cases, wore Chinese clogs. The general condition of clothing was also very bad. Some had shorts which were covered with patches, while others had shorts full of holes and no patches. There was no decent headgear for protection against the hot sun.

The attitude of Japanese supervisors towards POWs on working parties was that of slave drivers. Adequate precautions were not taken to protect POWs engaged in tunnel digging and one afternoon, while working in Kowloon, three major collapses took place. A Dutchman who complained to the Japanese was badly beaten up.

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R(5) RCL

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Major Boxer told POWs there was no option but to sign. He was taken out again with eight Other Ranks who had also refused to sign. They were placed in the compound, surrounded with machine guns and told that if anybody else refused to sign, they would be shot. Major Boxer came back after 15 days and it was obvious from his appearance that he had had a very bad time.

There was another incident when "Stodda," walking down the parade, suddenly struck a POW with his sword scabbard for no apparent reason. The man was also kicked.

Witness said that "Stodda" was the worst type of person of any nationality whom he had ever met. He was cold, supercilious and showed no regard for anyone, insofar as POWs were concerned. "Stodda" was the perfect example of a sneak. It was dangerous to say anything within his hearing.

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In mitigation, Mr. Silva said that defendant was a well educated man and had been working with various business concerns prior to his present employment. Arculli had been with the Dockyard as storeman since 1940, and rejoined after the re-occupation. There had been no complaints whatsoever prior to the present incident.

There had been no report of theft from this particular store, where defendant was working. Defendant was earning $200 a month and had a wife and two children.

Defendant admitted that he found the bearings lying loose in the store, and took them to make toys for his children. Defendant had received permission from a Sergeant before taking the bearing out of the yard.

Mr. Silva concluded that if the Court would give defendant a chance, there was a job waiting for him on board a Jardine ship.

After hearing the submission by Mr. Silva, defendant was bound in the sum of $500 to be of good behaviour for 12 months.

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Exchange Control Clerk Charged

Mr. T. V. N. Fortescue, of the Foreign Exchange Control section, was a witness for the Crown at Central Magistracy yesterday in an alleged bribery case against Yeung Shiu-hung, clerk of the department, who is charged with accepting a bribe of $630 on Oct. 28.

Mr. A. J. Clifford, Assistant Crown Counsel, assisted by Inspector W.N. Darkin of the Special Branch appeared for the prosecution, while Mr. M. A. da Silva appeared for the defence.

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On Oct. 24, the application submitted by Chan was refused. Accused advised Chan to submit a new application, which accused himelf put in front of Mr. Fortescue. The application

New P & O Ships

As recently announced the P. & O. Company has ordered from Messrs. Barclay, Curle & Co., two cargo motor ships of 7,000 tons for the U.K.-Calcutta service. They will be single-screw vessels propelled by Doxford-Diesel motors developing 6,800 horse-power giving an estimated speed of 15 knots. They will carry 9,700 tons and will have accommodation for twelve passengers.

The names selected for these ships are "Coromandel" and "Cannanore," the latter a new one in P. & O. history. There was a previous "Coromandel," a passenger ship of 4,652 tons built in 1885 and noteworthy as being, with her sister ship the "Bengal," the first P. & O. vessels with triple expansion engines, their three boilers working at a pressure of 145 lb. to the square inch. Their design, in which the Admiralty was consulted, made them easily convertible for service as transports or cruisers in time of war. No subsidy was granted by the Government at that time but their success led to the Admiralty's adopting a definite scheme for recompensing ship owners.

The "Coromandel" left for Calcutta on her maiden voyage in August 1885, and made her last under P. & O. colours in October, 1905, to Bombay where she was sold for breaking up.

In Port

The following ships were in port yesterday:—

BRITISH

Shengking (Taikoo Docks), Wuchang (Kowloon Bay), Wusueh (Taikoo Docks), Shantung (Taikoo Docks), Szechuen (Taikoo Docks), Nanchang (Taikoo Docks), Sinkiang (B2), Tsinan (Taikoo Docks), Tai Ping (Stonecutters), Port Darwin (B28), Kenilworth (Kowloon Docks), Stanhall (Kowloon Docks), Gleniffer (A11), Ping Wo (Custodian Wharf), Glenstrae (Taikoo Docks), Period (Yaumati), Empire Whitham (Shumshuipo), Wing Sang (B. and S.), Empire Fraser (B11), Walnut Bend (Taikoo Docks), Cerion (Laichikok), Bursa (Laichikok), Samtweed (Kowloon Docks), Pauline Moller (Yaumati), Hai Tan (Yaumati), Edna (Yaumati), Erica Moller (Shamshuipo), Benalder (Kowloon Bay), Cape Howe (Mackie's Wharf), Samarovsk (Kowloon Docks), Taiposhan (Shamshuipo).

PANAMANIAN

RCLH(5)

00628

his Nissen if he likes, but I intend the Government to work for me, the same as I have worked for them.

All I want is a small plot of land, and a decent house in which to live, I don't think that is asking for too much. Don't forget the old saying. "If everyone was satisfied progress would cease."

HOME SEEKER.

• • •

Nurses

Sir,—In reply to the appeal from the Hon. D.M.S. for enrollment of probationer nurses to the local Government Hospitals it may be of interest to the Public to know of the present conditions of pay existing in the Nursing Service which contribute to the general dissatisfaction prevailing amongst the Nursing Staff.

New probationers are advertised for at a commencing salary of HK$110 which includes high cost allowances and living quarters. Fully trained nurses are not provided with quarters and whose travelling expenses have doubled, are at present drawing just under

i.e. to recruit more constables and Chinese Sub-inspectors to cope with the present abnormal conditions, and safeguard the life and property of the citizens especially during the winter time when robbers, gangsters and rascals start to become active. It is the Chinese unanimous and repeated suggestion and hope that the new Commissioner will see to it that police personnel should have no racial discrimination. As the local population is mainly Chinese, the Chinese establishment of higher posts e.g. Chinese Sub-inspectors should be immediately enlarged and further recruitment of these officers be held in the future. The policy of recruiting more Chinese to hold some posts of Europeans has been accepted and approved by the Government and we think, that both the whole Chinese community and the Chinese Unofficial Members of the Councils, who raised this important proposal several months ago, would like to see it put into effect.

THE CHINESE COMMUNITY.



thing he did do was to make promises which were never kept.

POWs were kept under subjection by threats and mass punishment. Any transgression of regulations would result in a beating up.

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The Japanese treated the POWs like slaves and in case of any infraction of rules, POWs were punished individually or collec-

parade, suddenly struck a POW with his sword scabbard for no apparent reason. The man was also kicked.

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two years in a Japanese POW Camp, no man could be fit.

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Captain Strahan also declared that the Japanese were attempting to persuade Indian soldiers to take up arms against the British. An Indian soldier who came in with a wound on the shoulder said that he had been put up against a wall and shot at by Japanese. Despite protests, POW Medical Officers were not allowed to treat a fairly large number of sick Indian personnel.

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Hearing was then adjourned till 10 a.m. today.

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Stole WAAF Officer's Handbag

F/O Oliver of the W.A.A.F. was shopping at the Clover Flower Shop in Gloucester Arcade at about 10.50 a.m. on Thursday when she had her handbag containing $2,000, two gold fountain pens and private papers, stolen. Miss L. Tse, of the Clover Shop, arrested the culprit.

Brought before Mr. H. G. Sheldon K. C. at the Central Magistracy yesterday the culprit Tam Tak, 45, unemployed, was sentenced to two years' hard labour.

Inspector H. Sell stated that complainant left her handbag on a chair in the shop. Defendant came in, put some newspapers over the handbag and walked out. Defendant was seen passing the bag to another Chinese, who got away, while defendant was caught by Miss Tse.

After conviction, Inspector Sell told the Court that defendant had had five previous convictions for larceny.

Gaining entrance by pretending to be customers, two men produced revolvers and held up the Tai Ming Goldsmith's shop, 401 Shanghai Street, at 7 p.m. yesterday and stole $1,000 worth of gold rings. The shopkeeper tried to give chase but abandoned the pursuit when one of the robbers fired a shot into the air.

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Lovers of the artistic will be given another opportunity at 7.30 o'clock tomorrow evening to view the programme of Chinese Ballet and Folk Song numbers that left such a pleasing impression upon the many who turned out to view the performance at the Star Theatre last week sponsored by the Sino-British Club.

The programme includes eight numbers of dance and ballet and eight songs especially selected for their appeal to a non-Chinese audience who might not be able to appreciate points about a purely Chinese performance which appeal more easily to the Chinese public.

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The lighting and setting are thoroughly modern, the best mechanical aid available blending so well with the atmosphere of the production that the dramatic director of a local non-Chinese institution went backstage after the last performance to inspect and ask for detail suggestions in regard to one of his own forthcoming productions.

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The Anglo-Chinese Economic Association is to entertain the British Trade Mission to China at the Hong Kong Hotel on Thursday, Dec. 12, at luncheon at 1 p.m.

Members of the Association and their friends are requested to communicate reservations to the Treasurer (phone 24992) or to the Secretary-General (phone 25474).

Chinese Sub-inspectors to cope with the present abnormal conditions, and safeguard the life and property of the citizens especially during the winter time when robbers, gangsters and rascals start to become active. It is the Chinese unanimous and repeated suggestion and hope that the new Commissioner will see to it that police personnel should have no racial discrimination. As the local population is mainly Chinese, the Chinese establishment of higher posts e.g. Chinese Sub-inspectors should be immediately enlarged and further recruitment of these officers be held in the future. The policy of recruiting more Chinese to hold some posts of Europeans has been accepted and approved by the Government and we think, that both the whole Chinese community and the Chinese Unofficial Members of the Councils, who raised this important proposal several months ago, would like to see it put into effect.

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Accused told him a story and said, "This man offered me money. The man was rather drunk at the time, and when I refused he pushed me into a small room and forced the money into my pocket. I then lost my head and ran out of the house, and I was arrested."

He asked accused how he had a large sum of money beside the six hundred dollars, and accused explained that his wife was a rich woman and that would account for it.

Accused again asked him to act as witness for the defence. The final request by accused was for him to testify in Court that he (accused) had been a hard working and intelligent clerk. He informed accused that he would give his truthful opinion. Accused then left.

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PANAMANIAN

Caltex 11 (Kowloon Bay), Eastern Trader (Stonecutters), Malwara (Yaumati).

DUTCH

Paula (Taikoo Docks), Agatha.

NORWEGIAN

Produce (Kowloon Docks).

CHINESE

Hoi Kin (Co'Wharf), Hai Hsia (Kowloon Docks), Man Li (Yaumati), Hai Ming (B4).

ARRIVALS YESTERDAY

Empire Mavrover, Ting Sang, Rajula, Han Yang, Hupeh, Chung Kai, Fragum, Empire Jamacia.

ARRIVING TOMORROW

Arundel Castle.

ARRIVALS AND DEPARTURES

Among those checking in at the Peninsula Hotel on Thursday were Mrs. E. Kiell, Mrs. D. L. Chittenden, Mrs. C. L. Crampton, A. P. Zaremba, Mrs. D. Booker, Miss M. G. White, Mrs. A. A. White, Mrs. R. C. Moses, Miss B. E. Moses, Mrs. A. B. Oxberry, Miss J. M. Reynold-Dickson, Mrs. F. H. Innes, Mrs. D. L. R. Miles, Mrs. B. Smith, R. H. D. Colt, Mrs. A. F. Moffat, Misses V. and E. J. Moffat, Dr. and Mrs. Nicolson, Mrs. L. Robson, W. Matthews, A. P. M. Oliver, Mrs. J. Milne, A. R. Todd, A. P. de Boer, Mrs. F. Trevor-Orr, Mrs. W. E. Hunt, Mrs. C. Loseby, E. G. Elliot, Major H. M. Reith, A. P. Rajah, A. G. Watson, W. Taylor, Mr. and Mrs. G. P. Martin, Mr. C. A. S. Russ, Mr. and Mrs. A. N. Braude, Mrs. D. F. Clayton, Mrs. J. Holdsworth, N. L. J. Masillon, Miss A. M. Ritchio, Mrs. E. H. Pollock, Mrs. D. Mortimer, D. J. Mullen, R. J. Everest, Mrs. M. and Miss M. M. Everest, Mr. and Mrs. J. Linford, P. J. Tracey, W. F. Wotton, Mr. and Mrs. C. G. Mayger, Miss E. S. Woolhouse, Mrs. E. Pringle, I. P. Tamworth, Mrs. M. A. Large, Mrs. Sargison, Mrs. Grimsdale, Mrs. A. Oliver, Mr. and Mrs. H. G. Bennett, Mrs. L. D. Champlovier, Mrs. D. Cairns and Mrs. H. Pearson.

* * *

Departures from the Peninsula Hotel include D. D. Wright, C. C. Chapman and W. A. Johnson.

* * *

Mr. and Mrs. C.W. Biddle and Capt. A.W. Laidlaw were passengers from Calcutta by the ss. "Mausang" which arrived yesterday.

HKVDC ORDERS

Orders by Lieut.-Colonel E.J.R. Mitchell, O.B.E., E.D., Commanding H.K.V.D.C., Dec. 6, 1946. Orders No. 58.

Pay Advances.—Monthly advances against Pensions will be paid on Wednesday, Dec. 11, at 2.30 p.m.

A Meeting of Members and ex-Members of No. 2 (Scottish) Company will be held in the Officers' Mess, Corps Headquarters, on Wednesday, Dec. 11, at 6 p.m.

ROSE DAY

The Society of St. Vincent de Paul gratefully acknowledge the following donations:

The Palmers $25, Kingsley & Co., Ltd. $10, Tsang Fook Piano Co. $5, A. K. Chan $25, Dr. S. L. Kwong $10 Conversion of foreign notes received $54.60. Total to date $44,309.75.

Reserve Supplies Accumulating In U.S.

New York, Dec. 6.

A great increase in inventories (reserves of goods and commodities) held by individuals and business concerns in the United States has occurred during the recent months. The accumulation of reserve supplies of raw materials for manufacture, and of goods for sale, is desirable during a period of rising prices.

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The large reserves of goods and commodities would, in a period of falling prices, cause financial losses to businessmen who bought at high prices and were forced to sell at lower prices. Such a development might have a serious effect on some banks which have advanced large sums to finance accumulation of inventories.

During the first year after the war ended, inventories in the United States increased $7,000,000,000 in value, in part as a result of price increases. During July and August of this year, the increase of $2,400,000,000 additional was the greatest increase in history for two months. At the end of August inventories of manufacturers totalled $18,300,000,000.

Further Increases

Indicating that further increases have taken place, bank loans to commerce, industry and agriculture in the United States were reported to total $9,381,000,000 on October 9. Much of this money was borrowed to finance inventories.

Heeding the warnings of economists who foresee a decline in prices of some goods and commodities in the coming year, buying agents are becoming more cautious in their purchases.

The National City Bank reports: "Extravagant programmes of buying and expansion are being brought down to earth, and far-sighted businessmen are preparing themselves for a period when selling is expected to be a much more competitive job than it has been in the recent past. This tempering down of business expectations is wholesome in tending to take some of the fever out of inflation, thereby lessening the chances of a more serious setback (deflation) later on."

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London, Dec. 5.
Industrials 157.3, Kaffirs 102.7, Home Rails 99.3, Commodity 309.5.—Reuter.

London Exchanges

London, Dec. 4.

On New York 4.025, 4.035, Montreal 4.02, 4.04, Zurich 17.34, 17.36, Stockholm 14.37, 14.50, Buenos Aires unquoted, Brazil 75.4416, Brazil (sellers) unquoted, Uruguay unquoted, Belgium 176.50, 176.75, Paris and French Empire 479.50, 480.30, Syria 881, 885, Lisbon 99.80, 100.20, Swiss Bank Notes Middle 17.25, 17.50, Netherlands West Indies 7.58, Netherlands East Indies 10.68, 10.70, Holland 10.63, Panama 4.02, 4.04, Denmark 19.32, 19.36, Prague 201, 202, Norway 19.98, 20.02, Palestine 99⅞, 100⅛, Philippines 8.08, 8.13.

Forward Rates, One Month:— United States ⅜ p, ⅜ D, Canada ¼ p, ¼ D, Switzerland 1½ p, 1½ D, Sweden 1½ p, 1½ D, Paris 40 cents, 40 cents, Holland 1 cent, 1 cent.

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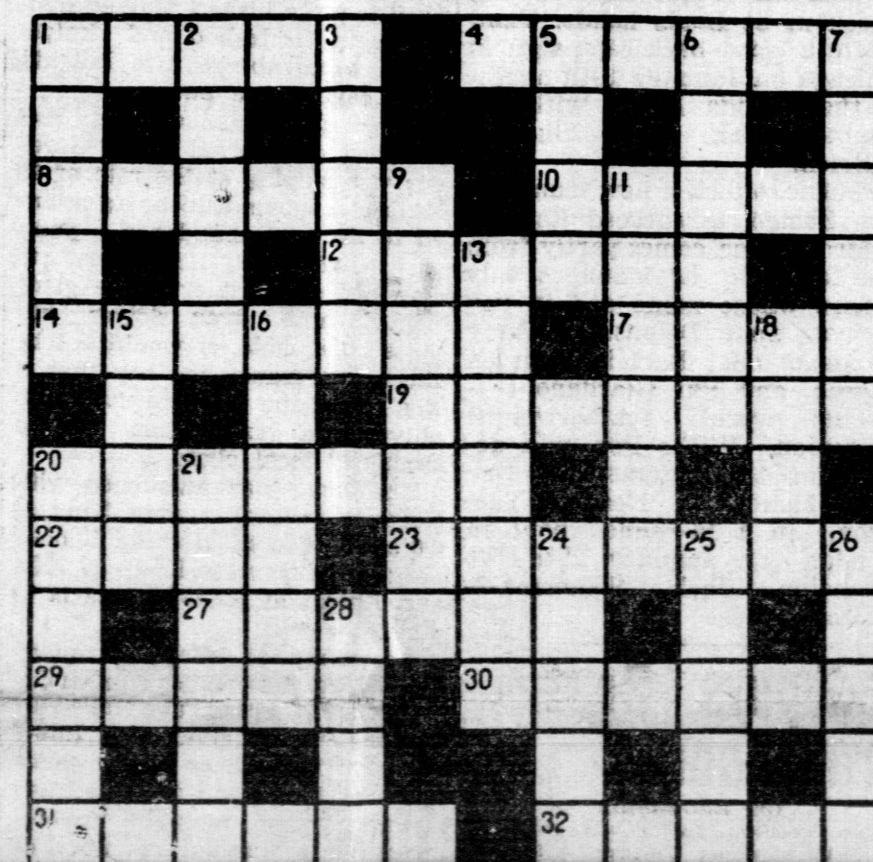
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A BRITISH CROSS WORD PUZZLE



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Swatow (Wah Lung) 2 p.m.

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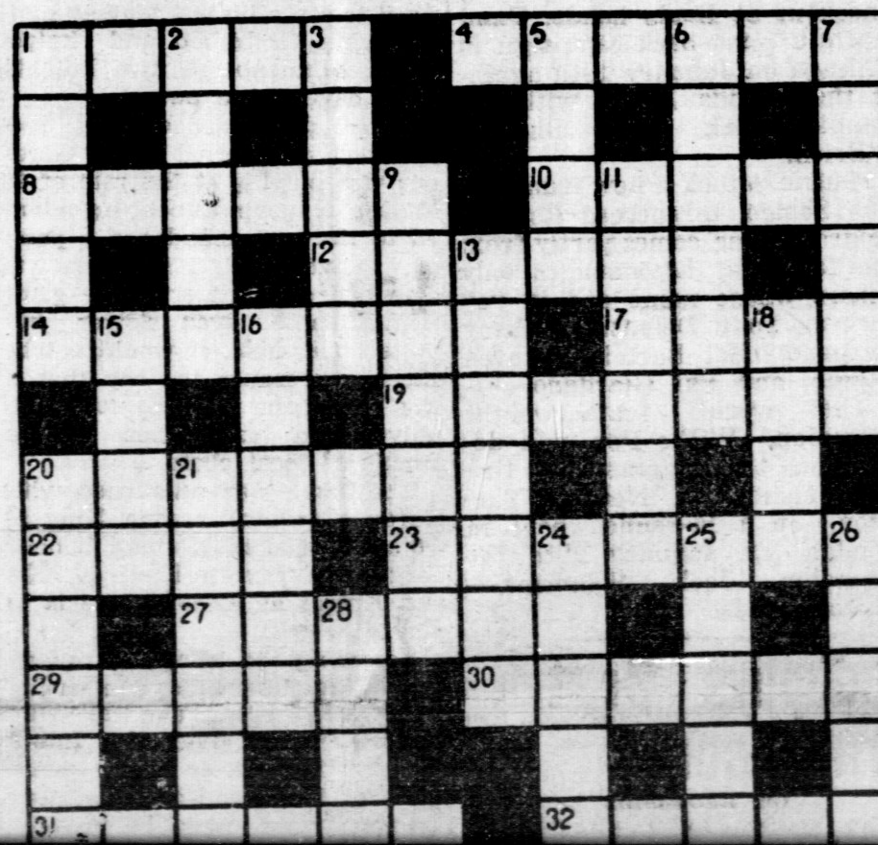
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Shanghai (Arundel Castle) 4 p.m.

Macao, Tsinshan and Shekki (Kwong Sai) 4 p.m.

Canton (By Train) 4 p.m.

NEW YORK SERVICE

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"ADRASTUS"	3rd week Dec.	New York

Agents: Australian-Oriental Line, Ltd.

	Arriving	From
"YUNNAN"	14th Dec.	Australia
	Sailing	**For**
"YUNNAN"	21st Dec.	Sydney, Melbourne

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For Passage and Freight Particulars Apply To The Above.

DOUGLAS STEAMSHIP CO., LTD.

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S.S. "EMPIRE RAJA" (Ben Line Berth) .... Mid Dec.
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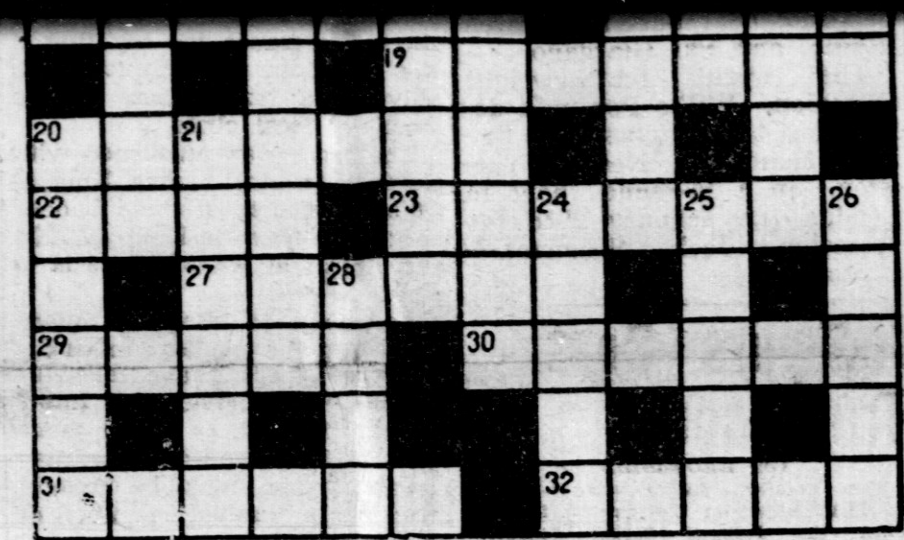
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Clues Across

1. Muscular contraction.
4. Dull.
8. Well-known opera.
10. Girl's name.
12. Golf attendant.
14. Honest.
17. Empty.
19. Wandered.
20. Preceeding by by tens.
22. Biblical name.
23. Violent.
27. Skinflints.
29. Wave-top.
30. Exertion.
31. Dwell.
32. River grasses.

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2. Pinafore.
3. Portion.
5. Frog-like reptile.
6. In a direct line.
7. Brought to nought.
9. Recount.
11. Talk incoherently.
13. Traders.
15. Entry.
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DOWN:—Thud; 2. Bass; 4. Hero; 5. Pave; 6. Emden; 7. Dodge; 9. Prose; 10. Overt; 12. Idler; 14. Cello; 16. Annoy; 17. Yield; 19. Cadge; 20. Onset; 21. Lane; 22. Lent; 23. Prop; 24. Prey.

SWEDISH EAST ASIATIC CO., LTD.

OUTWARD

M.V. BATAAN .... discharging Hong Kong 16th December.
M.V. VASAHOLM .... discharging Hong Kong 25th December.
M.V. FORMOSA .... discharging Hong Kong Mid. Jan.
M.V. HAINAN .... discharging Hong Kong End Jan.

HOMEWARD

M.V. BATAAN .... loading Hong Kong about 3rd January.

for

Port Said, Genoa, Marseilles, Antwep, Rotterdam
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King's Building, Connaught Road,
Tel: Shipping Dept. 28016. Passage Dept. 28017.
Chinese Agents, Connaught Road, C. No. 82, Tel. 25133.

Ship	due from	Sailing for
m.s. "TJISADANE"	Shanghai/Amoy 15th Dec.	Manila/Macassar/ Java ports 18th Dec.
s.s. "TJIBADAK"	Java Manila Amoy Swatow 23rd Dec.	Singapore/Java ports 24th December
m.s. "TJITJALENGKA"	Java 28th Dec.	Amoy/Shanghai 29th Dec.

ROYAL PACKET NAVIGATION CO., LTD.
(DELI STRAITS CHINA LINE).

Ship	due from	Sailing for
m.s. "VAN HEUTSZ"	Belawan Deli, Penang, Singapore 22nd Dec.	Amoy/Swatow 24th Dec.

(ORIENT JAVA AFRICA LINE).

Ship	due from	Sailing for
m.s. "RUYS"	Singapore 9th Dec.	docking
m.s. "STRAAT SOENDA"	Shanghai 10th Dec.	Singapore, Mauritius, Lourenco - Marques, Beira, Durban, East London, Port Elisabeth Mosselbay, Capetown, Buenos Aires, Montevideo, Santos, Rio de Janeiro. 15th December, 1946.

Ship	due from	Sailing for
m.s. "RUYS"		Africa/South America early March, 1947.

KERR STEAMSHIP CO., INC.

Ship	due from	Sailing for
m.s. "DERWENT HALL"	New York and Shanghai on or about 3rd. Jan.	

HOLLAND-EAST ASIA LINE

Ship	due from	Sailing for
m.s. "PHILAE"	Rotterdam/Antwerp/ Genoa/Port Said/ Singapore 13th Dec.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo, End Dec.
s.s. "HELLENIC"	Rotterdam/Antwerp/ Genoa/Port Said/ early Jan. 1947.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo. End Jan. 1947.
s.s. "GAASTERKERK"	Rotterdam/Antwerp/ Genoa/Port Said/ Singapore/Manila 25th Feb. 1947.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo. Middle March, 1947.

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"AMMLA"

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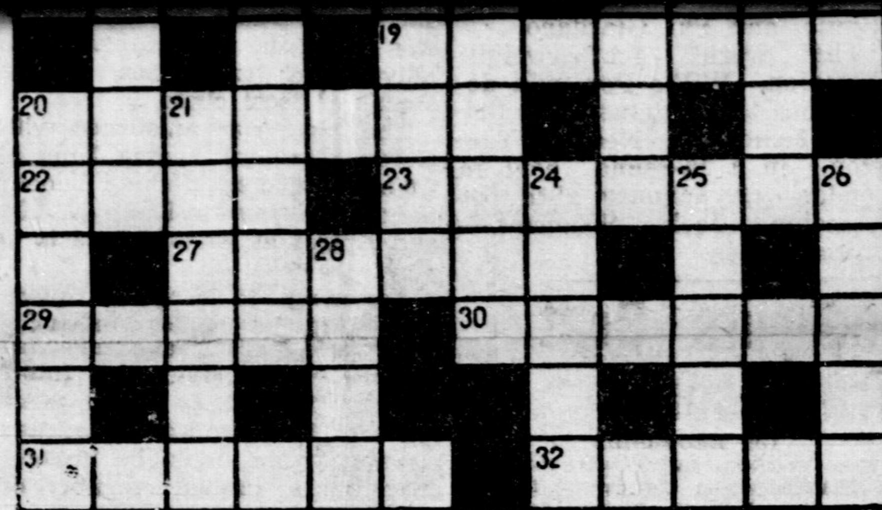
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1. Muscular contraction.
4. Dull.
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10. Girl's name.
12. Golf attendant.
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17. Empty.
19. Wandered.
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Ship	due from	Sailing for
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s.s. "TJIBADAK"	Java Manila Amoy Swatow 23rd Dec.	Singapore/Java ports 24th December
m.s. "TJITJALENGKA"	Java 28th Dec.	Amoy/Shanghai 29th Dec.

ROYAL PACKET NAVIGATION CO., LTD. (DELI STRAITS CHINA LINE).

Ship	due from	Sailing for
m.s. "VAN HEUTSZ"	Belawan Deli, Penang, Singapore 22nd Dec.	Amoy/Swatow 24th Dec.

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Ship	due from	Sailing for
m.s. "RUYS"	Singapore 9th Dec.	docking
m.s. "STRAAT SOENDA"	Shanghai 10th Dec.	Singapore, Mauritius, Lourenco-Marques, Beira, Durban, East London, Port Elisabeth Mosselbay, Capetown, Buenos Aires, Montevideo, Santos, Rio de Janeiro. 15th December, 1946.

Ship	due from	Sailing for
m.s. "RUYS"		Africa/South America early March, 1947.

KERR STEAMSHIP CO., INC.

Ship	due from	Sailing for
m.s. "DERWENT HALL"	New York and Shanghai on or about 3rd. Jan.	

HOLLAND-EAST ASIA LINE

Ship	due from	Sailing for
m.s. "PHILAE"	Rotterdam/Antwerp/ Genoa/Port Said/ Singapore 13th Dec.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo, End Dec.
s.s. "HELLENIC"	Rotterdam/Antwerp/ Genoa/Port Said/ early Jan. 1947.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo. End Jan. 1947.
s.s. "GAASTERKERK"	Rotterdam/Antwerp/ Genoa/Port Said/ Singapore/Manila 25th Feb. 1947.	Shanghai/Singapore/ Colombo/Port Said/ Antwerp/Rotterdam/ Copenhagen/Gothenburg/Oslo. Middle March, 1947.

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Loading on December 13th, for Singapore, Mauritius, Lourenco-Marques, Beira, Durban, East London, Port Elisabeth, Mosselbay, Capetown, Buenos Aires, Montevideo, Santos, Rio de Janeiro.

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SHIP	*FROM*	*DUE*
"BENALDER"	U.K.	Discharging
"TREVAYLOR"	U.K.	7th December
"TINGSANG"	Bombay	8th December
"ARUNDEL CASTLE"	U.K.	8th December
"TREVEAN"	U.K.	December
"TREWIDDEN"	U.K.	Early February
"AMMLA"	U.K.	Early February

SHIP	*LOADS FOR*	*READY*
"HAVMANN"	Straits, Colombo, Bombay & Karachi	11th Dec.
"TREVAYLOR"	Shanghai	12th December
"EMPIRE RAJA"	Straits & U.K.	Mid December
"ARUNDEL CASTLE" (Passengers only)	U.K.	End December
"TREVAYLOR"*	Straits & U.K.	End December

*Accepts cargo for London, Antwerp and Rotterdam.

British India S. N. Co., Ltd.

SHIP	*FOR*	*SAILS*
"RAJULA" (Passengers only)	Singapore & Calcutta	7th December

Eastern & Australian S. S. Co., Ltd.

SHIP	*FROM*	*DUE*
"REYNELLA"	Rabaul	Mid December
"EASTERN"	Australian Ports	End December

SHIP	*LOADS FOR*	*READY*
"NELLORE"‡	Australia	Early January

‡Accepts cargo for New Zealand Ports on through Bills of Lading.

For full particulars apply to

MACKINNON, MACKENZIE & CO.

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CHINA MAIL

HONG KONG, SATURDAY, DECEMBER 7, 1946.

Baruch Presents New Atom Control Plan

Lake Success, N.Y., Dec. 5.

Mr. Bernard Baruch, United States representative on the United Nations Atomic Energy Commission, tonight proposed that international control of atomic energy should be defined by treaty in which all United Nations members should be entitled to take part with the same rights and obligations.

Mr. Baruch presented the following new proposals to the Commission for immediate action: "The Commission makes these recommendations to the Security Council: Firstly, there should be a strong and comprehensive international system of control of atomic energy. Secondly, such system of international control of atomic energy should be established and its scope and functions defined by treaty in which all United Nations members be entitled to participate with the same rights and obligations."

"The international control system should be declared operative only when those members of the United Nations necessary to assure its success by signing and ratifying the treaty bind themselves to accept and support it.

"Thirdly, the treaty should include among others the provisions:—

"A. Establishing in the United Nations an international authority possessing powers and charged with the responsibility necessary and appropriate for effective administration of the terms of the treaty and for prompt carrying out of its day-to-day duties. Its rights, powers and responsibilities, as well as its relation to the several organs of the United Nations, should be clearly established and defined by treaty.

"Such powers should be sufficiently broad and flexible to deal with new developments that may hereafter arise in the field of atomic energy. In particular, the authority shall be responsible for extending among all nations exchange or basic and scientific information on atomic energy for peaceful ends; for preventing the use of atomic energy for destructive purposes; and for stimulating its peaceful, beneficent uses for the benefit of the people of all nations.

"The decisions of the authority pursuant to the powers conferred upon it by treaty should ... tain. Serious violations of the treaty should be reported immediately by the authority to the nations party to the treaty and to the Security Council.

"Fourthly, the treaty should embrace the entire programme for putting a system of international control of atomic energy into effect and should provide for the completion of transitional process over a period of time step by step in orderly sequence, leading to full and effective establishment of international control of atomic energy.

"In order that transition may be accomplished as rapidly as possible and in safety and equity to all, this commission should supervise the transitional processes as prescribed in the treaty and should be empowered to determine when a particular stage, or stages, has been completed and subsequent ones commence.

Delay Or Die

In a speech supporting his proposal Mr. Baruch declared that the United States sought especially the cooperation of the Soviet, but stood upon its basic principles even if it stood alone. It would accept nothing less than an effective plan of atomic control.

"To delay may be to die! Effective international control must be established if the civilised world is not to be ended. An extermination war itself is within the range of pos-

Honour For Macao Doctor

It is announced that Dr. P. J. Lobo of Macao has been awarded a certificate from Lord Mountbatten, former Supreme Allied Commander, South East Asia, as a token of gratitude and appreciation for the help given by him to the sailors, soldiers and airmen of the Commonwealth of Nations which enabled them to escape from, or evade capture by the enemy.

The certificate has been handed to Dr. Lobo by the British Consul in Macao.

During the war, Dr. Lobo gave invaluable assistance to allied servicemen and civilians who either escaped or went into Free China. He also successfully aided the British Army Aid Group during the Japanese occupation of Hong Kong, and after its surrender was responsible for getting to the Colony a vast quantity of foodstuffs for the interness at Stanley and the POW at Shamshuipo.

Lord Louis Mountbatten's certificate dates Dr. Lobo's activities from 1941 to 1945.

Hong Kong Returnees Stranded

Sydney, Dec. 5.

The Blue Funnel liner "Sarpedon" braved the black ban of the waterfront unions and sailed today for an undisclosed destination, but probably for Singapore and Hongkong.

The ship was held up in Sydney on Nov. 1 by a wages ...

FRANCE CAUTIOUS

New York, Dec. 5.

The Anglo-American economic merger agreement for Germany was criticised here by the French representative on the Berlin control commission, M. Jacques Trabe de St. Hardouin, who said: "Only when Europe as a whole has been restored should Germany be restored."

He added: "France prefers to proceed with caution in following a course which places German hands on the production and distribution of industrial riches."—Reuter.

INDIA TALKS FAILING

London, Dec. 6.

Prime Minister Clement R Attlee and his colleagues were making last-minute efforts today to find a formula which could avert tragic chaos in India.

But nobody in close touch with the situation believes they can succeed in saving the negctiations from a complete breakdown.

Attlee was understood to have tried to persuade Congress leader Pandit Nehru to postpone the Constituent Assembly opening, but Nehru reinterated his determination to return to New Delhi early tomorrow in time for the Assembly's opening at 1 p.m. on Monday.

Moslem leader Mohammed Ali Jinnah meanwhile was standing on his decision to boycott the Constituent Assembly.

It was learned that Nehru tried to reassure Attlee of the Congress Party's good faith. Nehru explained that the initial session of the Constituent Assembly "will deal with matters of procedure and the appointment of committees—The question of interpretation of subsequent activitie swill not arise at this stage."—United Press.

Shanghai Police Protest

Shanghai, Dec. 6.

SPORTS SECTION

Mike Jacobs 'Improved'

New York, Dec. 6.

Joe Louis, the world heavyweight champ, arrived by air to be near promoter Mike Jacobs, holder of the monopoly on world champions fights, who is now ill.

Jacobs has slightly improved. Louis has delayed the departure of his exhibition tour to Latin-America until Jacobs is past the crisis. Louis' manager suggests that Baksi may get the next crack at the title if he confirms his standing by whipping some other top-notcher, such as Bruce Woodcock.

Mike Jacobs was reported to be resting comfortably in St. Clare hospital. Dr. Vicent Nardiello said: "Jacobs' condition has improved but is still critical. At first we believed that the crisis would come within 48 hours, now it seems like a long drawn out battle."

Tami Mauriello, of the Bronx who was Louis' last challenger, has resumed training after the long layoff since his painful knockout at Louis hands. Tami starts a come back campaign in Chicago on January 10th against the Florida Negro with the County Cork name, Shamus O'Brien.

Mauriello took a new manager, Lou Schiro, to succeed Remini. Schiro's fame comes partly from the fact that he manages only boxers whose name end in "o" such as Tony Delgatto, Tommy Gargano, Sal Bartolo, Steven Riggio, and Pat Giardano.

The world featherweight champion, Willie Pep, will defend his title against the British champioin, Nelson Tarleton, in a 15-round bout in London on January 28th for promoter Jack Solomons.—United Press.

Jodhpurs Beat Travancores

(By RECORDER)

Some excellent hockey was witnessed at Shamshuipo on Tuesday afternoon when the Jodhpur Sardar Infantry downed the First Travancores by five ...

LONGEST CHESS MATC[H] IN H.K.'s HISTORY

(By Recorder)

The longest chess match in the Colony's histo[ry] was adjourned a second time close to mi[d]night on Thursday after a session lasting fi[ve] hours. Started last Tuesday, the match b[e]tween R.C. Gardner and Ray Danenberg in t[he] sixth round of the Kowloon Chess Club's R[e]serve Tournament "A" has now lasted exac[tly] eight hours and 45 minutes.

Sometime shortly after 11 p.m. on Tuesday, Gar[d]ner and Danenberg passed the old record [of] 8 hrs. 15 mins. set by L. Karpovich and Ka[...] Weiss in the Colony Championship of 1941. [At] that stage the game was still a dead draw a[nd] Danenberg had twice offered to split the poi[nt].

A half-hour later the final pawn had been swept off the board and it was an end-game of a queen against a knight, Gardner holding the advantage. After some nine more moves the game was adjourned on the 82nd move. It had been a game of attrition all the way, Danenberg playing a steady Niemtso-Indian to QP to enter the end-game a piece up.

Gardner steadied the play further and with dangerous passed pawns all over the board managed to cop a bishop, leaving himself with a bishop and knight against Danenberg's two knights, both having five pawns.

After pawn-manoeuvring that included one period when Gardner was playing at the rate of 10 minutes a move, Danenberg seemed to tire and abandoned a passed pawn of his own to stop one of Gardner's. The game then became even slower but quite impeccable. It would not be sheer exuberance to say that it was one of the most carefully and ably-played end-games in the annals of local chess.

The game was adjourned with Gardner (white) having King at Q6 and Queen at QR4 and Danenberg (black) with King at KB4 and Knight at KKt3. White is to play.

According to Hoyle's, queen against knight should win easily. However, there is a chess rule adopted by the Federation International des Echecs some years ago that in an end-game without pawns a mate must be brought about in a limited number of moves.

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Better Luck Nex[t] Time?

(By Norman Prest[...])

Brisbane, Dec[.]

It is obvious that had [Lind]wall been fit, Australia [would] have chosen the same [team] (with Mauleman as 12th [man]) that overwhelmed Engla[nd last] week, for the second t[ime in] Sydney.

Now the selectors ha[ve sub]stituted Frederick Free[r,] Victorian right-arm [...] bowler. Freer, in my [...] will not cause England [...] trouble, although his [...] when playing for [...] against the MCC do [...] him justice.

I marked him down [...] of the best Australian [...] bowlers. He relies on sw[...] maintains an accurate [...] and bowls an excellen[t] ball.

Last season for Vic[toria] took 23 wickets for an [...] 16.9. His best performa[nce] seven for 29 last Dec[...]

There is no doubt [...] loss of Lindwall con[...] weakens the Australian[s.] I feel sure if Hammon[d ...] the toss and the weather [does] not interfere England wi[ll ...] lose this Test.—Reuter[.]

CHINA MAIL

HONG KONG, SATURDAY, DECEMBER 7, 1946.

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One hundred and twenty mem-

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Better Luck Next Time?

(By Norman Preston)

Brisbane, Dec. 5.

It is obvious that had Lindwall been fit, Australia would have chosen the same team (with Mauleman as 12th man) that overwhelmed England this week, for the second test at Sydney.

Now the selectors have substituted Frederick Freer, the Victorian right-arm medium bowler. Freer, in my opinion, will not cause England much trouble, although his figures when playing for Victoria against the MCC do not do him justice.

I marked him down as one of the best Australian opening bowlers. He relies on swing and maintains an accurate length and bowls an excellent slow ball.

Last season for Victoria he took 23 wickets for an average 16.9. His best performance was seven for 29 last December.

There is no doubt that the loss of Lindwall considerably weakens the Australian team. I feel sure if Hammond wins the toss and the weather does not interfere England will not lose this Test.—Reuter.

Today's Soccer

The best game in this afternoon's soccer programme is the First Division game at Causeway Bay between a strengthened Royal Naval team and Sing Tao.

Navy are fielding a very strong side which will include Down of H.M.S. Victorious who has played in good soccer circles. He will be seen at inside left. Heggie will be on the right wing. With the exception of Willis the whole side is composed of newcomers.

Sing Tao, who are making a great bid for the championship are fielding their best side and have been practicing for this game.

South China should gather both points from Royal Air Force tomorrow on the Club ground. Since their defeat by St. Joseph's three weeks ago, the Airmen have not been very impressive but are expected to give South China a good game.

St. Joseph's are having more than their share of injuries and will not be at full strength for their game against 45 Commando at Sookunpoo.

In the Second Division 42 Commando, reinforced by the transfer of Timmis, Ingles and Ford, formerly of 1/5 Commando, should easily account for Dockyard. During the week 42 Commando did extremely well to beat Royal Navy by the cdd goal in three.

The folowing is the week-end programme:—

SATURDAY, DEC. 7, 1946

FIRST DIVISION

Club v. C.A.S.C.
(Club ground, 4 p.m.)
Referee:—J.F. da Silva.
Linesmen:—E. Lawrence and C.S.M. H. Cook.

Navy v. Sing Tao
(Causeway Bay, 4 p.m.)
Referee:—Lac. F. Roberts.
Linesmen:—Lui Shiu Ming and L/S. D. Sparrow.

45 R.M. Cdo. v. St. Joseph's
(Sookunpoo ground, 4 p.m.)
Referee:—Mr. Hagan.
Linesmen:—Tsang King Hong and P.O. Noble.

SECOND DIVISION

Wireless Centre v. Sing Tao
(Causeway Bay, 2.30 p.m.)
Referee:—A.E.P. Guest.

Club v. Kwong Wah
(Club ground, 2.30 p.m.)
Referee:—E. Lawrence.

Kit Chee v. Signals
(St. Joseph's grd., Happy Valley, 4 p.m.)
Referee:—Leung Yuk Tong.

C.A.S.C. v. Police
(St. Joseph's grd. H. Valley, 2.30 p.m.)
Referee:—F.A. Barretto.

42 Commando v. Dockyard

that may hereafter arise in the field of atomic energy. In particular, the authority shall be responsible for extending among all nations exchange or basic and scientific information on atomic energy for peaceful ends; for preventing the use of atomic energy for destructive purposes; and for stimulating its peaceful, beneficent uses for the benefit of the people of all nations.

"The decisions of the authority pursuant to the powers conferred upon it by treaty should govern operations of national agencies for the control of atomic energy.

Right Of Inspection

"B. Affording duly accredited representatives of the authority unimpeded rights of ingress and egress and access for the performance of their inspections and other duties into, from and within the territory of every participating nation, unhindered by national or local authorities.

"C. Prohibiting the manufacture, possession and use of atomic weapons by all nations parties thereto and by all their nationals.

"D. Providing for the disposal of any existing stocks of atomic bombs.

"E. Specifying the means and methods of determining violations of its terms, stigmatising such violations as international crimes and establishing the nature of measures of enforcement and punishment to be imposed upon individuals and upon nations guilty of violating its provisions.

Violations

"Judicial or other processes for determination of violations of the treaty and punishment thereof should be swift and cer-

Delay Or Die

In a speech supporting his proposal Mr. Baruch declared that the United States sought especially the cooperation of the Soviet, but stood upon its basic principles even if it stood alone. It would accept nothing less than an effective plan of atomic control.

"To delay may be to die! Effective international control must be established if the civilised world is not to be ended. An extermination war itself is within the range of possibility," concluded Mr. Baruch. —Reuter.

ADMIRAL BOYD RETURNS

The Commander-in-Chief British Pacific Fleet, Vice-Admiral Sir Denis Boyd, K.C.B., C.B.E., D.S.C., arrived back in the Colony yesterday after a cruise to two major ports in Malaya.

Flying his Flag in H.M.S. Belfast, he left Hong Kong on Nov. 11, and proceeded to Penang for a five day visit, during which cordial visits were exchanged with local authorities and officials. His Excellency, Mr. Malcolm MacDonald, Governor General of Malaya, kindly accommodated the C.-in-C. in his house during part of the visit to Penang.

This was followed by a nine day visit to Singapore, which was mainly spent in visiting ships and naval establishments within the port area, meeting local authorities, and holding important conferences with senior officers of the Malay area. This visit provided the opportunity for the C.-in-C. to meet General Stopford, Deputy Supreme Allied Commander, South East Asia, who is about to return to the United Kingdom on the relinquishment of his appointment, and Lord Killearn, the Special Commissioner for South East Asia.

The Commander-in-Chief expressed his appreciation of the cordial reception given him by all the authorities and officials whom he met.

Co-incident with the return of Sir Denis Boyd, the Colony welcomes the arrival in Hong Kong of Lady Boyd, and daughter Miss Elizabeth Boyd, who embarked in Belfast at Singapore.

Stranded

Sydney, Dec. 5.

The Blue Funnel liner "Sarpedon" braved the black ban of the waterfront unions and sailed today for an undisclosed destination, but probably for Singapore and Hongkong.

The ship was held up in Sydney on Nov. 1 by a wages dispute with Chinese firemen who left the ship, to be subsequently gaoled.

Customs clearance was granted last night and the ship sailed this morning manned by officers and a limited number of British seamen and Chinese stewards.

The ship was to have sailed in mid-November for Capetown and Liverpool but later it was decided to send her to the Far East when the dispute was settled.

As the "Sarpedon's" departure was a close secret she left behind 300 British passengers—mainly women and children—who were booked for Shanghai and Hong Kong.—Reuter.

MONEY MARKET

After four days of continual drop, the market for Piastre yesterday took a sharp "about turn." Opening at $14.75 per 100 Piastres it went straight up to $16.60 and remained there almost till the close when it eased to $16.50.

Gold also made a sharp spurt, jumping from $326.50 a tael at the opening to $334, and this was maintained up to the close of the market.

Chinese National Currency had another quiet day. Futures opened at 80 cents per CN$1,000 and closed at 79¾. Spot opened at $1.01½ and closed at $1.03.

U.S. dollars had buyers at $4.79. Sterling was quiet at $15.35, and Australian pounds were unchanged at $12.55.

RADIO

ZBW Hong Kong broadcasting on a frequency of 845 kilocycles and from 12.30 to 1.15 p.m., 6.30 to 7.30 p.m., and 9 to 11 p.m. also on 9.52 megacycles.

H.K.T.

12.30 p.m.—Daily Programme Summary.
12.32 p.m.—Film Fvourites.
1.00 p.m.—News, Weather Report and Announcements.
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7.15 p.m.—Studio: "See Tee's" Soccer Commentary.
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7.30 p.m.—Studio: "Unit Requests"—Nev Long Calling—M. T. Section Kai Tack.
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The finest player on the field was also one of the oldest, Major Dungara Singh, who, though centre-forward, was notable for some runs down either wing with the ball fairly glued to his stick, passing nicely to the inside-forwards who had the defence beaten.

The Jodhpurs won largely as a result of the good feeding from the two backs, particularly Jem. Bhura Ram, who kept stealing in on the long passes and moving the ball forward to the Jodhpur attack.

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Both played an excellent game and added one more gem to the classics of local chess which are still short of really good games.

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The other two games of the round were hopelessly tame, F. X. Sequeira conceived a brilliant trap against Col. Whitcombe in offering a piece for a forced attack, that won in less than 30 moves.

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Starting point front of the Kowloon cy on Gascoigne Roa ladies event due to 10.00 a.m., the men follow at 10.15 a.m. route will be along N to Salisbury Road— Road—to Ma Tau to Tam Kung Road— Edward Road—to N and thence back to point.

The ladies will ru distance, continuing ham Road from th point, to Ma Tau and from there wil same course set f

Under the chai Messrs. Lum Tse Yun-hwa and T'sa the committee in announced that silv will be presented to finishing first, third The first the finish line will with appropriate any other runner the race within ten the winner will als prize.

An entry fee of charged accompani photos (passport siz

...es commence.

Delay Or Die

In a speech supporting his proposal Mr. Baruch declared that the United States sought specially the cooperation of the Soviet, but stood upon its basic principles even if it stood alone. It would accept nothing less than an effective plan of atomic control.

"To delay may be to die! Effective international control must be established if the civilised world is not to be ended. An extermination war itself is within the range of possibility," concluded Mr. Baruch. —Reuter.

ADMIRAL BOYD RETURNS

The Commander-in-Chief British Pacific Fleet, Vice-Admiral Sir Denis Boyd, K.C.B., C.B.E., D.S.C., arrived back in the Colony yesterday after a cruise to two major ports in Malaya.

Flying his Flag in H.M.S. Belfast, he left Hong Kong on Nov. 11, and proceeded to Penang for a five day visit, during which cordial visits were exchanged with local authorities and officials. His Excellency, Mr. Malcolm MacDonald, Governor General of Malaya, kindly accommodated the C.-in-C. in his house during part of the visit to Penang.

This was followed by a nine day visit to Singapore, which was mainly spent in visiting ships and naval establishments within the port area, meeting local authorities, and holding important conferences with senior officers of the Malay area. This visit provided the opportunity for the C.-in-C. to meet General Stopford, Deputy Supreme Allied Commander, South East Asia, who is about to return to the United Kingdom on the relinquishment of his appointment, and Lord Killearn, the Special Commissioner for South East Asia.

The Commander-in-Chief expressed his appreciation of the cordial reception given him by all the authorities and officials whom he met.

Co-incident with the return of Sir Denis Boyd, the Colony welcomes the arrival in Hong Kong of Lady Boyd, and daughter Miss Elizabeth Boyd, who embarked in Belfast at Singapore.

Stranded

Sydney, Dec. 5.

The Blue Funnel liner "Sarpedon" braved the black ban of the waterfront unions and sailed today for an undisclosed destination, but probably for Singapore and Hongkong.

The ship was held up in Sydney on Nov. 1 by a wages dispute with Chinese firemen who left the ship, to be subsequently gaoled.

Customs clearance was granted last night and the ship sailed this morning manned by officers and a limited number of British seamen and Chinese stewards.

The ship was to have sailed in mid-November for Capetown and Liverpool but later it was decided to send her to the Far East when the dispute was settled.

As the "Sarpedon's" departure was a close secret she left behind 300 British passengers—mainly women and children—who were booked for Shanghai and Hong Kong.—Reuter.

MONEY MARKET

After four days of continual drop, the market for Piastre yesterday took a sharp "about turn." Opening at $14.75 per 100 Piastres it went straight up to $16.60 and remained there almost till the close when it eased to $16.50.

Gold also made a sharp spurt, jumping from $326.50 a tael at the opening to $334, and this was maintained up to the close of the market.

Chinese National Currency had another quiet day. Futures opened at 80 cents per CN$1,000 and closed at 79¾. Spot opened at $1.01½ and closed at $1.03.

U.S. dollars had buyers at $4.79. Sterling was quiet at $15.35, and Australian pounds were unchanged at $12.55.

RADIO

ZBW Hong Kong broadcasting on a frequency of 845 kilocycles and from 12.30 to 1.15 p.m., 6.30 to 7.30 p.m., and 9 to 11 p.m. also on 9.52 megacycles.

H.K.T.

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International Harrier Race

Hong Kong's first international harrier road race since V. J. Day will be staged on New Year's Day. The Chinese Y.M.C.A. Physical Department Secretary, Mr. Shek Chentak, who is organizing the event under the auspices of the Chinese Y.M.C.A., the Hong Kong Physical Association and the Hong Kong and Kowloon Residents Association, announces that entries will open on Dec. 10, and can be sent to the physical department of the Chinese Y.M.C.A. Bridges St. Closing date for entries will be Dec. 25. The harrier foot race will be divided into two groups—one for ladies and one for men, all of whom must be over sixteen years of age and must have medically O.K. certificates. It is expected that many servicemen will send in entries.

Starting point will be in front of the Kowloon Magistracy on Gascoigne Road, with the ladies event due to start off at 10.00 a.m., the men's race to follow at 10.15 a.m. The men's route will be along Nathan Road to Salisbury Road—to Chatham Road—to Ma Tau Wei Road—to Tam Kung Road— to Prince Edward Road—to Nathan Road and thence back to the starting point.

The ladies will run a shorter distance, continuing up Chatham Road from the starting point, to Ma Tau Wei Road and from there will follow the same course set for the men.

Under the chairmanship of Messrs. Lum Tse-fong, Kei Yun-hwa and T'sang Siu-sun, the committee in charge have announced that silver trophies will be presented to the runners finishing first, second and third. The first ten to cross the finish line will be presented with appropriate prizes, and any other runner completing the race within ten minutes of the winner will also receive a prize.

An entry fee of $1.00 will be charged accompanied by two photos (passport size).

Navy v. Sing Tao
(Causeway Bay, 4 p.m.)
Referee:—Lac. F. Roberts.
Linesmen:—Lui Shiu Ming and L/S. D. Sparrow.

45 R.M. Cdo. v. St. Joseph's
(Sookunpoo ground, 4 p.m.)
Referee:—Mr. Hagan.
Linesmen:—Tsang King Hong and P.O. Noble.

SECOND DIVISION

Wireless Centre v. Sing Tao
(Causeway Bay, 2.30 p.m.)
Referee:—A.E.P. Guest.

Club v. Kwong Wah
(Club ground, 2.30 p.m.)
Referee:—E. Lawrence.

Kit Chee v. Signals
(St. Joseph's grd., Happy Valley, 4 p.m.)
Referee:—Leung Yuk Tong.

C.A.S.C. v. Police
(St. Joseph's grd. H. Valley, 2.30 p.m.)
Referee:—F.A. Barretto.

42 Commando v. Dockyard
(Navy ground, Happy Valley, 4 p.m.)
Referee:—P.M. Xavier.

SUNDAY, DEC. 8, 1946
FIRST DIVISION

R.A.F. v. South China
(Club ground, 4 p.m.)
Referee:—L.G. Young.
Linesmen:—N.T. Delgado and F.A. Barretto.

Eastern v. 44 Commando.
(Causeway Bay, 4 p.m.)
Referee:—Capt. J.P. England.
Linesmen:—Tsang King Hong and Lui Shiu Ming.

SECOND DIVISION

Travancore v. South China
(Club ground, 2.30 p.m.)
Referee:—E.L. Strange.

41 Commando v. 3 Cdo. Bde. H.Q.
(Causeway Bay, 2.30 p.m.)
Referee:—L/S. D. Sparrow.

H.Q. Land Forces v. 387 Coy. R.A.S.C.
(Sookunpoo ground, 4 p.m.)
Referee:—Cpl. H. Filmer.

WEDNESDAY, DEC. 11, 1946
SECOND DIVISION

Navy v. H.K. Chinese Cadre
(Causeway Bay, 4 p.m.)
Referee:—C.S.M. H. Cook.

PETERBORD BEAT YEOVIL

London, Dec. 5.

In a first round Football Association Cup replay today Peterboro Town defeated Yeovil Town by the only goal scored during the game.

Results of rugby games played were: County Championship: East Midlands 6 Notts, Lincolnshire and Derby 11.—Reuter.

FAST AND FAIR

London, Dec. 5.

Fast and Fair, one of this season's three-year-old classic runners, has been sold by Lord Astor to Mr. Charles Hoeward, of the United States.

Fast and Fair, by Fairway out of Quixotic, will leave London docks for California on Dec. 9.—Reuter.

London, Dec. 5.

The French Derby winner, Prince Chevalier, who finished second in the French St. Leger to Souverain, winner of the King George VI Stakes at Ascot, has been syndicated at £80,000 and will stand as a stallion at the Ashley Heath stud. He is due to arrive at Newmarket on December 7.—Reuter.

Printed and published for the proprietors, The Newspaper Enterprise, Limited, by WALTER JAMES KEATES, Windsor House, Hong Kong.

J(S)
RCL.

Extracts from the Army Internal Service
Regulation

Army Ordinance No.16
Aug. 11th 1943

Article 272

The Intendence Committee shall administer the planning and execution of various supplies; the purchase, inspection, keeping, receipts and disbursement of clothing, provisions, commodities etc.; (excluding the inspection, keeping, receipt and disbursement under the charge of other committees) and also the matters regarding the cash vault, building and repairs, cooking and food. The Committee shall also administer the intendence duties regarding the supervision of factories, shoeing and grooming, and further shall control the technical instructions of cooking NCOs and accountant W.Os and NCOs. It shall also supervise the technical training of tailors, cobblers, their apprentices and cook-house orderlies.

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CLOSING ADDRESS

In defence of the accused:

Col. TOKUNAGA
Capt. SAITO
Lt. TANAKA
Interpreter ~~XXXXXXXX~~ TSUTADA
Sgt. HARADA

At No.5 War Crimes Court, Hong Kong. 12 February 1947

by Counsel for Defence: Mr FUJITA, Tetsuo
and
Mr HASEGAWA, Yukichi.

Mr President and Members of this Honorable Military Court:-

We have the honour to deliver our closing address before this Court in the defence of these five accused. We do appreciate and are grateful for the way the trial has been conducted , and also for the kind consideration of the prosecuting officer Maj G.B. Puddicombe and valuable assistance of our advisory officer Capt P.E.Kostiloff.

Re:- 1st Accused Col Tokunaga. By Mr Fujita.

Before coming to the Charges against the Accused, I wish to draw Court's attention to the error in the date of the appointment taken by Col Tokunaga as the Hong Kong POW Camp Commandant.

In the middle of January 1942 , while being in Tokyo, Col Tokunaga received the orders to proceed to Hong Kong and take over POW Camp as the Commandant. At that time a Japanese Major was in command of so called"Temporary Hong Kong POW Camp". Col Tokunaga arrived in Hong Kong on 24 Jan'42. Taking over the duties lasted until 31st January, when he really started his job as the Camp Commandant of Hong Kong POW Camp. The statements of the accused and witness Maj Gen Shoji are supporting this fact; but in the Charge Sheet said the responsibility of Col Tokunaga as the Camp Commandant started with effect from 24 Jan'42.

On 31 Jan. 42 approximately 10,000 POWs were accommodated at Shamshuipo, North Pt., and at several other places. The Camp buildings at this places had been severely damaged during hostilities and looted by the Chinese. Accommodation was small and overcrowded. The controlling Japanese at that time had made no endeavour to organise and equip these places as POW Camps. As the accused stated in his evidence before the Court, his was indeed a tremendously difficult task to convert these temporary camping places, where disorganisation and confusion reigned supreme, into well equiped, organised, systemised, ~~and~~ fit places for POWs to live.

to live.

At the beginning the Hong Kong POW Camp was under the supervision of the G.O.C. 23rd Army of Occupation, whose G.H.Q. was in Canton. From Feb. 42 the POW Camp came under the direct supervision of the Governor General of Hong Kong. The Camp Commandant was a direct subordinate of the Governor General and under his command administered the Camp. The Japanese Officers of the Camp Staff dealt with their respective duties allotted by the Camp Commandant. The G.O.C. (in HK i.e. the Governor General) had authority to establish branch Camps. (Branch Camps of the Formosa POW Camp - ~~xxxxxxxx~~ Ref. evidence of Witness Maj. Ando) The POW Camp was spread over several out lying points (Shamshuipo, North Pt., etc.) having no direct contact or communication with another. In such cases, it was the practise to appoint ~~the Commander~~ a Japanese Officer as the Camp Commander at these out lying points with independent authority, but who were responsible to the Camp Commandant; who in turn was answerable to the Governor General. Reference POW Camp Regulation, Article 5, Exhibit V4, and the evidence of the accused Col. Tokunaga.

The Camp Commandant for the daily living and supervision of POWs introduced a system of self-government, whereby POWs themselves elected members from amongst them to care for their personal affairs, Camp sanitation, adminstration, Canteen, etc. A POW representative was appointed by the Camp Commandant through whom instructions and orders were passed to the POWs. This POW representative saw to it through his own organisation that these instructions and orders were fully carried out.

When accused Col. Tokunaga became the Hong Kong POW Camp Commandant, as mentioned previously the buildings at Shamshuipo and North Pt. were badly damaged and had no windows and the roofs let in water in bad weather. There was no Camp organisation, the buildings were overcrowded, and confusion was rife. Col. Tokunaga made endeavours to move POWs to empty houses in the vicinity of Stanley Fort, but was refused permission to do this by the Governor General; the reason being that these houses were to be used by the Japanese.~~xxxxxxxxx~~ At that time, all suitable buildings on HK Island and in Kowloon were occupied by the Japanese Army, and there were no large buildings available to which to transfer POWs. Col. T. saw that he had no alternative but to keep the POWs where they were, and to have the buildings at Shamshuipo and North Pt. repaired and suitably equiped.

Glass and other repair materials were short, but the windows of the Shamshuipo Camp were bricked up to keep out the cold air.

There have been testimonies to the effect that the hut roofs leaked, but this was only the case at the beginning.

the beginning./

These were gradually repaired. The huts left vacant after several drafts had embarked for Japan were not used by POWs because of an order from the Governor General saying that these huts were to be used by the Japanese Army, and in fact the Army did use them as storage places for Oil drums. These facts were verified by Col. Tokunaga's evidence before the Court.

It has been shown in the evidence of Witness Lt. Col. Crawford and the accused Dr. Saito, that the accommodation capacity of a hut in the Japanese Army is twice that of a British Army hut. Witness Lt. Col. Crawford and Lt. Col. Mitchell testify that 50 men were accommodated in each hut at the Shamshuipo Camp, and according to the Japanese Army standards these huts cannot be said to be overcrowded. /

Mr. J. H. Price in his Affidavit (Exhibit B) states that after a few months beds were supplied, but 3 men had to use 2 beds. At that time the Camp was still being equiped, and it is to be understood that several thousand men cannot be issued with a bed each at the same moment. /

It has been critisised that there was no heating system in the POW huts. Col. Tokunaga admits that this was so, but states that neither was there any heating system in Japanese living quarters in Hong Kong. There did happen to be a stove at Col. Tokunaga's H.Q. but this was broken and never repaired. /

There are evidences that empty cans were used as mess tins because no utensils had been issued. This might have been so when the Camp was first openned, but when Col. Tokunaga took over as Camp Commandant such matters as messing equipment had his attention.

It is not to be overlooked, however, that POWs traded their messing equipment for cigarettes. Col. Tokunaga made this fact known in his evidence. Lt. Col. Home in his Affidavit (Exhibit B2) states:- "In my opinion, in most cases, the men should have had their own eating utensils, but many of the men were careless and lost theirs during the operations or at a later date sold them in prison Camps for cigarettes. This is why they were forced to use old tins and things like that to eat from". The Court will agree that in the face of the foregoing, it is not a little unreasonable to accuse Col. Tokunaga of taking all the utensils issued by the Governor General's office, to M. Wong's house. /

Clothing and other necessities were issued to POWs as per ration regulations. It was the rule that POWs should wear their own clothing until it was no longer servicable. In such cases new clothing was issued. When POWs were underclad, clothing was issued to bring it up to the amount stipulated. Each POW had 2 blankets, and this cannot be said to be insufficient for the HK climate. However, there were no excess clothing supplies, and though witness W/O Lewis stated that he knew there was a year's

a year's/

supply of Hong Kong British Army Clothing in the Colony in Jan. 1941, there seems to be no basis for his statement.

Witness Lt. Col. Crawford states: "The men in the lines were generally issued with 2 cotten blankets. That was quota."

Witness W/O Lewis states: "I think all togather I received from the Japanese 2 blankets, 2 pairs of shorts and a shirt". Thus it appears that POWs were issued some clothing, and at least 2 blankets.

Accused Col. Tokunaga had no authority to increase food rations, as they were issued in accordance with regulations, from the Japanese Army Supply Depot. In the circumstances, the issue of rice as a staple food was unavoidable. Everything possible was done to meet the taste of POWs. Witness Matsuda testified that in 1943 POWs were permitted to bake bread, and there were no complaints about the rice.

It is to be admitted that the regulation scale of rations was insufficient to maintain the former state of health of POWs, especially in 1942 when the supply of supplementary rations did not run smoothly. Col. Tokunaga should not be held responsible for affairs directly influenced by the progress of the war. 470 grams of staple food was issued to non-labourers and 610 grams to labourers. In this regard officers and men were treated alike. There was an occasion when rice ration was under scale, but this was attributable to the fact that ration rice had been stolen (Exhibit B1). However, it was immediately made up.

~~It is to be~~ On occasions when no meat was available this deficiency was made up by an issue of fish. It has been testified that the rice was full of worms and sand, and this might have been a fact. However, POWs were not given special issues. This rice was also supplied to the general public and was used by the Japanese Army. Witness Dr. Rodrigus states:- "The rice was alright because you could make it into a broken rice soup."

POWs on light work were considered labourers and received labourers rations. POW Camp endeavoured to raise vegetable and fruit gardens, thereby to supplement their rations. (ref. evidence of Dr. Saito and Col. Tokunaga.)

Witness Lt. Col. Kerr gave evidence that in Feb. 42 after an intendant Col. inspected the Camp the issue of fresh meat and vegetables increased for two weeks, then supplies became as before. It was not in the scope of the authority of an Army Col. to better rations for only two weeks. The Court must understand that the accused Dr. Saito and Col. Tokunaga did their best in difficult war time conditions to better the rations in the Camp.

I wish to draw the attention of the Court to the fact that when the POWs themselves divided the labourers and non-labourers

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non-labourers/

rations equally through out the Camp, this had a very bad effect on the health of the labourers. Reference accused Dr. Saito's evidence.

In answer to a question put by the Court, Witness Matsuda testified: "The food in the Japanese Army was very bad. " The Japanese Army itself did not have good food. The Japanese soldiers in Hong Kong were having a hard time as were POWs because of the influence of the war.

The accused Col. Tokunaga was not a specialist in medical matters. The accused Dr. Saito was in charge of medical affairs in the Hong Kong POW Camp. Although Col. Tokunaga was in a position to supervise and instruct Dr. Saito, he was not in a position to debate technical points. Therefore, improvements in medical treatment and equipment within the Camp were made by Col. Tokunaga on Dr. Saito's advice. On Dr. Saito's advice he indented through the Governor General's office for drugs and medical equipment. He encouraged Dr. Saito, and did his utmost to obtain the necessary supplies. During the diphtheria epidemic Col. Tokunaga went himself to the Governor General's office to apply for drugs. The Governor General consulted with his Medical Department Head as to whether the indent should be approved. Capt. Saito, however, in his position could express his opinion on medical affairs in the Camp, and on the circumstances involved depended the issue of drugs. Unfortunately, in spite of the endeavours of Dr. Saito and Col. Tokunaga, they did not always meet with success.

I will outline in brief the various measures taken to meet disease in the Camp. Dr. Saito has testified in length on this subject, as a specialist.

Maj. Gen. Maltby in his affidavit (Exhibit Z) states that a Japanese Medical Major inspected the Camp at the time of the outbreak of dysentary and drugs and stretchers were applied for, but the Major's answer was - "Any more complaints from you and I will have machine guns turned on you and all your Camp". This was the attitude taken by persons outside the Camp, and the Courts' attention is drawn to the fact that no matter how much effort was put into obtaining necessary medicines, on the parts of the Accused Col. Tokunaga and Dr. Saito, because of this kind of attitude their reward was small indeed.

There is nothing to say that Col. Tokunaga denied ~~xxx~~ cases admission to hospital. In some circumstances, 1 or 2 days might have elapsed before the case was able to be taken to hospital. In this all important matter there was no unavoidable delay, but some difficult was experienced in transferring POW patients from Kowloon side to Bowen Road hospital. This came

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This came/
about due to the xxxxxxxx Governor General's order that ferrys and boats used by unit Commanders were not to be made available for transportation of POW patients. /

POWs of the Hong Kong Camp were used in extension labour at Kai Tak Airfield; and at several other places. The men for these labour parties were chosen by the POWs themselves through the POW doctors and the POW labour committee. Unfit POWs were not sent out with labour parties. Witness Lewis states that dysentary and stretcher patients were included in the labour parties and that they could hardly walk from the pier to the place of work. This is, of course, ridiculous, and I feel that there is no need to convince the Court on this point. It must be understood that labour parties did not include unfit men, and the number of labourers in the party varied from time to time. All fit men were not put on a labour xxx party, but just those needed and one day in four was a day of rest. Reference is made to testimony of Witness Mr. Prophet and Mr. Hands affidavit.

Under Article 6 - Regulations respecting the Laws and Customs of War on Land of the Hague Convention, it is stipulated "The work shall not be excessive and shall not be in connection with the operation of war,". However, it is a most difficult thing to decide whether or not some types of labour might be connected with the operation of modern warfare, especially when a country is making an all out stand. The only labours in this case to be considered connected with war operations are the extension of the airfield and the transportation of bombs, but all other labours were not dangerous or excessive. Most other countries at war have used POWs in the same degree. Accused Col. Tokunaga had authority to engage POWs in working parties for work inside the Camp only. Working parties for outside jobs were called for by the Governor General; and referring to POW Labour Regulations and the evidence of Col. Tokunaga, it seems clear that the places of labour referred to in the case were all outside the Camp. If such labours were in violation of the International Law, surely the Governor General who engaged the POWs must be held responsible for this violation.

The accused Col. Tokunaga could not refuse the order of his direct superior the Governor General to send POWs out on such labour parties. Col. Tokunaga received a representation from the POWs to the effect that the work being done by them on the airfield was ix contrary to the International Law. This information was passed on to the Governor General, but no recognition was made. In this case Col. Tokunaga had to obey orders, and it is not permissible in the Japanese Army for a colonel to take his views before a higher authority such as the

such as the/
War Minister or the Chief of the POW Information Bureau. /

According to orders from POW Information Bureau, Tokyo, through the Governor General, the Camp Commandant accused Col. Tokunaga requested POWs to sign a "no espape" pledge. The taking of this pledge was, in itself, not in violation of the International Law. It is internationally accepted that it is the duty of the POW to escape if he possible can. It is, therefore, natural that steps be taken to prevent escapes from the Camps.

I will give you some idea of how, in each Camp, the POWs were requested to sign the pledge. Col. Tokunaga has already testified at length and in detail regarding this matter.

According to the testimony of the accused there are no facts to support the story that POWs were forced to sign the pledge in the face of machine guns at Shamshuipo Camp, nor is there any fact to corroborate the evidence of the witness Col. Frederick that he was tied up with a piece of wire and slapped. Also, there is no fact to support the evidence that Maj. Boxer was beaten into submitting to sign the pledge: and, indeed a letter recently receive from Maj. Boxer (residing now in the U.K.) washes out the evidence of W/O Lewis stating that Maj. Boxer was beaten by the accused Col. Tokunaga for not signing the pledge. I hardly think that Col. Tokunaga would be so simple minded as to imagine that he could force high ranking officers to sign the pledge by beatings. Tokyo also gave instructions that any POW who refused to sign the pledge was to be regarded as a possible escapee, and according to the POW Detail Treatment Regulations stricter measures were taken to prevent attempted escapes. It is a fact that POWs who refused to sign the pledge were confined at Stanley Prison, and put under constant watch. The Chief of Staff of the Governor Generals Office ordered the Prison Superintendent to reserve a part of the Prison for the use of the Camp Commandant. The Camp Commandant used the Prison for the observation of suspected escapees and not for means of punishment. /

It is testified that after the escape ~~of~~ all POWs were paraded for several hours in the rain. To investigate the escape the POWs were paraded and the roll called. There ~~been~~ being a large numbers of POWs to check up on, therefore they may have been standing for some time, but this should not have been regarded so much as a collective punishment as a routine measure. /

Col. Tokunaga admits that the use of the Canteen and locally sent in parcels were stopped, as a measure of collective punishment and to maintain discipline. An order justifying this collective punishment was issued by the Chief of Staff because of the increasing number of escapes. Rations were not decreased. This measure was in the interests of discipline and was not a retaliation. 'It is further explained in Witness Lewis' testimony

testimony/

that this type of collective punishment was used to maintain discipline.

It has been testified again and again before the Court that the subordinates of the Camp Commandant ill used POWs. According to Col. Tokunaga's evidence, the only time when he touched a POW was when he pushed Lt. Wiseman at Headquarters. Col. Tokunaga testified that his subordinates were well instructed in the treatment of POWs. Col. Tokunaga is hardly to be held responsible for underhand assaults on POWs by his guards or interpreters. No one guard or interpreter can be kept constantly observed in the off chance of his being caught in some act, which is not set down as his duty. If, however, assaults were carried out by guards and interpreters on POWs, the responsibility of Col. Tokunaga in this matter can go no further than the point where his supervision and instructions were insufficient. Col. Tokunaga testified in the Court how he instructed his subordinates. His duty of supervision was fulfilled to the best of his ability.

It may have been an unfortunate fact that Col. Tokunaga was not able to improve in any material degree, the supply of rations and drugs as he wished to do, during the three and ahalf years that he held office. Col. Tokunaga was merely an executor of regulations of the POW Camp, and he could not go beyond the authority laid down in the regulations by the War Ministry or by the Governor General. Regulations were stipulated in accordance with the situation in Japan and the special situation in Hong Kong. Moreover, as the war and financial position of Japan became more unfavourable, the procurement of drugs became more difficult. Because the POW Camp was not a combatant or a productive unit it was regarded as a nuisance. All necessary material for the POW Camp had to be received from other units. The POW Camp did not have any stock of materials and this proved an obsticle.

Col. Tokunaga testified in the Court that because he went to the Governor General about the welfare of the POWs so many times, he was asked by the Governor General whether he expected to receive a medal from the British. This may help to illustrate the general prejudice where POWs were concerned. Another person in Col. Tokunaga's place could not have made a better job of his role of Camp Commandant. The accused must not be held guilty for matters outside the scope of his responsibility.

In accordance with the evidence of the accused Col. Tokunaga, it is an undisputed fact that the 4 Canadians recaptured during an attempt to escape from the North Point Camp in the middle of Aug. 42 were interrogated at the POW Camp H.Q. I would like to make it clear as to whether or not the 4 Canadians were assaulted during the interrogation.

Witness Matsuda stated in the Court: "They looked

"They looked/
very haggard and tired and had received a beating up or torture or something". It appears that this evidence in itself is merely a supposition. Witness Matsuda did not see the condition of the POWs when they were brought upstairs. That the interrogation took place 3 or 4 days after the attempted escape, has been made clear by the evidence of Col. Tokunaga before the Court. It is not difficult to understand that these 4 POWs should appear tired and wornout because of trials experienced after their escape. The evidence of Witness Matsuda does in no way prove that the 4 POWs were assaulted.

Witness Mak Kee Sing is the only one who allegedly witnessed the assault. Is his evidence sufficient to prove the fact? At the time of the said interrogation Mak Kee Sing was only a service boy of 14. The Witness testified that he saw a 1" scar over the left eye-brow of one of the POWs. The Witness said that he was in the kitchen, thus the right upper part of the 4 POWs only would be seen by him. This is verified by the evidenceof the witness and photographs Nos. 4 and 5 of Exhibit H4. On re-examination, the witness said that he was able to see the scar because the POWs moved about. The witness's view of the interrogation from his place in the kitchen would be limited to an angle. If he did see the scar it was only for a second. But it is an unusual thing for his attention to be drawn to this small scar in particular. Also the witness was asked whether he saw a tall golden haired POW at the interrogation from his place in the kitchen. He answered, "I am not sure". Why is it that the witness could not remember a POW with such outstanding characteristics, and yet remembered so small a scar ~~on another~~? The witness said that some of the POWs wore Khaki shirts and some white. Yet Witness Matsuda and Niimoori testified that because the POWs wore uniforms marked "Canada", they were sure that they were Canadians. Witness Mak Kee Sing testified that some of the POWs were bleeding from the face, but Witness Matsuda said nothing about this. The facts in the evidence of this incident appear varied and confused by the witnesses, and little store can be set on any one evidence.

According to Col. Tokunaga's evidence, Capt. Kurata carried out the interrogation, and that Col. Tokunaga himself watched the progress of the interrogation for a short time, and in that time he assaulted no one. It was stated by the accused Lt. Tanaka before the Court that Col. Tokunaga slapped the tall Canadian during the interrogation. However, Lt. Tanaka at that time was more than 25 metres away from the place of interrogation, and events appear to have become somewhat confused in his mind when he made his testimony. Col. Tokunaga has admitted that the POWs were executed. Supposing he did slap the POW - why should

why should/
he deny it?

Re: Charges 6 and 7: Col. Tokunaga acknowledges that 4 Canadians escaped from North Point Camp and that they were executed.

Re: Charge 8: British Soldiers Pte. Branson and 4 others who planned to escape via a tunnel also were executed.

On both these occasions the accused admits that the execution was carried out without trial by the order of the Chief of Staff of the Governoer General's Office.

In the capacity of the POW Camp Commandant, the accused knows well that Regulations are set out for the punishment of POW escapees, and that they must be put on trial.

A person of average sence would understand that the execution of POWs without trial is not only a violation of the Law in Japan, but also that it might raise a serious International question.

According to the contents of the Reports conserning the management of POWs that the accused submitted to the POW Information Bureau in Tokyo (exibit Z3), and according to the statement made by him before the Court, we realise that Col Tokunaga was fully aware at the time that it was illegal to execute POW escapees without a fair trial. Iwould like to say that the accused is not so very foolish that he would take it in his own hands to execute these POWs. The execution was carried out at the command of the Governor General.

The witness Matsuda gave evidence: "Then I went to my office and a few minutes later Interpreter Nimoori came out of the same room as these four Canadians, and told us that they are going to be shot".

As this evidence proves nothing it is a little consequence, and sounds like the chatter of an idle tounge. Supposing the accused had made up his mind that these men must be executed shurely he would not speak his thoughts on so important a matter in the presence of so large a gathering at the investigation. I would like to call the attention of the Court to the attitude of the witness Matsuda which was somewhat hostile towards Col Tokunaga whilst the former gave evidence in the Court. I think that Matsuda is prejudiced and that his evidence is not alltogether trustworthy.

Shortly after the four Canadians were arrested the accused reported the affair to the Chief of Staff Arisue at the Office of the Governor General in Hong Kong. Arisue reprimanded Col Tokunaga for not having POWs sufficiently guarded, thus encouraging the escapes. He also ordered the execution of the POWs as an example to other POWs who had thoughts of escaping. Col Tokunaga shocked by this drastic measure urged Chief of

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Chief of/

Staff to reconsider the matter. He was, however, ordered to carry out the execution. Subsequently, Col Tokunaga ordered his subordinates to execute the four Canadians.

In the matter of the attempted escape of British soldiers, the Chief of Staff strictly ordered that Col Tokunaga should execute them. The accused was reprimanded on the grounds of neglect of his duty.

There is order and system of command in the Japanese Army. So far as Hong Kong POW Camp was conserned, Maj.Gen Arisue could not directly order the Camp Commandant's subordinates to carry out the execution; the order had to be passed through Col Tokunaga. I say that Arisue is responsible for ordering the execution, not the man who conveyed his order. Reference is made to the evidence of witness Maj.Gen Shoji.

re- Charge 9th.

This charge falles into 4 items:-

1/ International Red Cross Parcels,

2/ Personal parcels,

3/ Hong Kong Red Cross Parsels, and

4/ Gift money from the Vatican.

I will examine them in this order.- International Red Cross Parsels. Hong Kong POW Camp received alltogether three consignments- Oct'42 "Kamakura Maru", Oct'43 "Teia Maru", and Feb'45 "Awa Maru". Intendant Officer Capt Kato , ordered by Col Tokunaga, was responsible for handling these parcels. The Shipping Unit using Chinese coolies was i/c of the unloading. Capt Kato received the goods from the Shipping Unit and passed them to the POW side in accordance with his instructions from Col Tokuna - ga. It is not true that Col Tokunaga seized International Red Cross Parcels intended for POWs.

Witnesses Matsuda and Leung Lui stated that they saw Red Cross tinned food in Col Tokunaga's house, but this is not sufficient evidence to support the theory that the accused took parcels for his private use. Col Tokunaga admites that these goods were in his house , but he testifies that Maj Boon gave him the goods as a present. In Lt MacArthy's affidavit (Exibit D1) he states that Maj Boon was i/c of rations and that he thought that Maj used Red Cross goods for his own use. This evidence links up with the evidence of Col Tokunaga.

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Tokunaga./

Cpl Hurly, in his affidavit(Exibit Z1), stated, that he saw Col Tokunaga smoking Canadian cigarettes. A large stock of foreign tin goods and cigarettes was taken over at the time of the Japanese occupation, and this was gradually issued to the Japanese Troops. It is quite in order for Japnese Troops to have in their possesion foreign tin food and cigarettes, which became their property after xx capitulation the enemy.

Witness W/O Lewis testifies on oath before the Court: " As far as I remember, in 1944 we had a very small suply of Red Cross stuff sent to us. The first parcels to come out of the Camp Store went into Col Tokunaga's house. I believe he owned at that time a yellow car which sported a blue flag".

However, when Col Tokunaga rode in the car it carried a red flag- the field officer's flag. This fact was verified by Col Tokunaga's eveidence and evidence of his driver. A blue flag is a flag of a Coy officer. It seems that xxxx the witness Lewis is not alltogether sure of his facts.

It is true that the Red Cross Parcels were stored in the Chinese hut near the main gate of the Shamshuipo Camp, and it is true that Col Tokunaga took out Personaly Addressed Parcels for the porpose of having them dispatched to the outside addressees. /

Personally Send in Parcels:- Each Camp had a day fixed when a parcels xxxxx when permitted to be sent in. The bearer would fill the form describing the quantity and the contents of a parcel. The parcel and completed form were then handed to the Japanese Official who inspected and checked the contents of the parcel with the form in the presence of the bearer. Any prohibited articles were returned to the bearer, and the description corresponding markedx off the form. The parcel would then be put into a container, and immediately after the inspection would be handed over to the POW. According to Col Tokunaga's evidence there was no xxxxx scope for illegal tactics in dealing with the parcels.

Hong Kong Red Cross Parcels:- The Camp Commandant would consult with the Local Red Cross Representativxx to decide the kind and quantity of the parcels, and the place and date when the parcels would be handed over. At the appointed date, the Commander i/c of the Camp would hand over the parcels to the POW representative. The parcels contained mostly soya-beans , sause, sugar, etc.. And there was no chance of any underhand business as testified by Col Tokunaga before the Court.

Gift Money from the Vatican:- xxxxxxx 2.000 yen was presented by the Vatican. This amount was considered too small to divide between the POWs, and on consultation with the POW representative it was decided that the money should be used as initial capital for the POW Canteen. The money was not used to pay for the milk issued to POW paitients. The milk was paid for from the POW Camp expenditure account

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account/
for paitients. This was made clear by Col Tokuhaga's evidence in the Court.

There is nothing to support the fact that any of Col Tokunaga's subordinates seized Red Cross Parcels, nor is there any indicatiomn that the accused closed his eyes to such acts. It has been testified that interppeter Nimoori and employee Abe made money in illegal trafic of Red Cross Parcels, and that they opened a shop selling Red Cross goods through Chinese. This testimony is without ~~evidence~~ justification and cannot be used as the evidence.

Lt MacArthy states in his affidavit (Exib. D) that: "It was general knowledge in the Camp that Watanabe was stealing many of the Red Cross supplies. The only proof I have is that I have seen Watanabe wearing articles of Red Cross clothing. I believe he was later charged with thieving Red Cross supplies and jailed by the Japanese".

According to Col Tokunaga, Watanabe was an interpreter attached to the Camp and was a priest, and I think that the Court fully understands the kind of character that Watanabe was in the Camp. It is hard to believe that he would become involved in illegal transactions with Red Cross supplies.

The fact that Red Cross tin-food and cigarettes were sold in Hong Kong's market has been verified by evidence in the Court. According to Col Tokunaga's ~~evidence~~ evidence it is clear that two cases of supplies were missing. Witnesses Maj Hirao and Capt Ushiyama stated in their evidence that Red Cross food was stolen by Chinese wharf labourers during the unloading of the "Teia Maru" and sold in the city.

POWs traded Red Cross supplies for cigarettes through the medium of the Guards. This is probably another source of the Red Cross goods on the Hong Kong market. Because Red Cross goods appeared on the market, and we know that POWs and Chinese coolies did their bit in this regard, there is little justification to make accusations of stealing by any of the Japanese Camp Staff.

The Prosecuting Officer in his Opening Address stated: "The Court maybe interested, however, in speculating on the relation between the nickname of the accused Tokunaga mentioned above, i.e. "fat pig", the accusation that he stole food stuffs from the Red Cross Parcels for his private consumption and his present appearance after a year of the diet of Stanley Jail, which while ample is not likely to be garnished with delicacies supplied by the Red Cross".

In answer to a question to identify Col Tokunaga, witness Lt.Col Mitchel stated: "I think he is the man in front, but he has got very thin since I saw him last". According to this statement it seems clear that Col Tokunaga has lost much weight since he was Camp Commandant.

Commandant./

The accused Col Tokunaga has already been in the custody of Stanley Jail more then a year, and he himself has verified that he has lost much weight. Col Tokunaga explained that he had wasted away because of his inadequate diet at the Prison and ill-treatment.

I wonder in what degree Col Tokunaga's diet is ample enough to maintain his strength, and indeed it is a deplorable thing that such a poor thread of evidence as the lessening of Col Tokunaga's figure shoul support this accusation. /

Charge 10th.- Killinfgs of and assaults on Chinese civilians in Hong Kong are alleged to have taken at the hand of Hong Kong POW Camp Staff. This evidence has been established by witnesses and affidavits before the Court in the course of the Trial.

I will say that most of these happenings took place when the Japanese Army marched into Hong Kong, untill the triuph of a battle had subsided.

A conquering army intoxicated with victory, and with the picture of dying brothers and friends still with it, is not alltogether a sane body of men. And throghout history the first wild days of such a conquest have been allowed for and forgotten. You will agree, that for the Japanese Army, this was a victory new in its history. I believe that these incidents happened in these first days.

When things settled down there were always those few civilians ready to make trouble. In this case, strict steps were taken to convince troublemakers that it would not be worth their while to cause disturbances. Into this cathegory fall most incidents which occured after the occupation.

Indeed, according to the testimony of the accused, the Governor General of Hong Kong and he took a profound interest in the wellbeing of the peacable Chinese citizens. Most of the incidents which were refered to by various witnesses are those which occured, as explain, at the beginning of 1942.

If a witness actually did see the incidents which were described, it must have been very difficult for him to know whether the offender was a member of the guard of the HK POW Camp or belonged to some ordinary unit.

The witnesses Messrs Prophet, Ballie and Hall testimonies were given that a Camp guard shot a Chinese woman who was gathering shells on the beach behind the Camp. It is difficult to make any definet decision whether or not they all witnessed the same incident or whether each one of them saw a different but similar incident. This difficulty arises in the first instant because the dates do not coinside, and each witness gives the different variation of what happened. Yet it can hardly be considered that the Chinese would visit a dangerous spot where the tragedy occured.

occured./

Witness Lewis in his evidence described a similar incident where the body was carried away after few days. According to the evidence the spot where the body fell would be well covered by water at high tide. It seems doubtful that after a few days that this body would still be in the same spot, if it had not been washed away. I cannot help doubting the reliability of the testimony.

Witness Ballie testified that at North Point Camp the guards illtreated an old Chinese man and took him away in a wheelbarrow in the direction of the beach. On their return the old man was no longer with them, and Col Ballie saw one of the guards cleaning his blood-stained bayonet on the face towel. It is unusual to bring a blood-stained bayonet back from the beach where it could have been so much easier to have cleaned it in the sand or water. It also seems odd that a bayonet should have been wiped with a face towel.

The witness Mr Ingram testified that he saw a Chinese been electrified in the Guard house in front of Bowen Rd Hospital, and two Chinese set alight after being soaked in oil. It seems strange that Hospital guards should entertain themselves thus. It also is not quite clear as to when the witness saw these things happened.

It has been mentioned in a paragraph in Charge No.1 how Col Tokunaga supervised and controlled the Japanese and Formozan Guards, so I will avoid any repetition in this regard. If, however, there has been illtreatment of Chinese by the guards- this thing was done on their own initiative and Col Tokunaga had nothing whatever to do with these matters. The guards were supervised as soldiers , X

Col Tokunaga did not take the role of nursemaid as his guards were passed kindergarten stage. If an individual took it upon himself to assault a Chinese - on whose head should it be but his own. -

This charge is alltogether unreasonable and the Court will agree on this point.

I ask in the interest of infinite mercy and justice that credit be given to the accused for his sincere endevours to better the lot of POWs in the face of heavy odds, and that every allowance be made for his very human failings.

The 2nd accused M.O. Capt SAITO, Shunkichi.

Defence:- Mr. HASEGAWA, Yukichi.

The accused SAITO SHUNKICHI, took an appointment as a Medical Officer attached to the Hong Kong P.O.W. Camp with effect from 31 Jan. 42, and carried out his duties of supervising medical affairs in accordance with the orders of Col. Tokunaga, Camp Commandant, until the Japanese surrender. SAITO, at the time of this appointment was a Lt. and he was promoted to Capt. on April 1st 1944.
SAITO was responsible for the diagnosis and medical treatment of all Japanese personnel attached to the Hong Kong P.O.W. Camp and he also supervised the work of P.O.W, Doctors in the diagnosis and treatment of P.O.W. cases. Therefore, it is clear that the accused was never directly responsible for the health of P.O.W.s, but merely supervised their M.O.s, in accordance with order from the Camp Commandant, in addition to his main duties.
The above has been verified before this Court by :-

a) reference to Articles IV and VI of "The P.O.W. Camp Regulation,
b) reference to Article XXIII of "The Detailed P.O.W. Treatment Regulation", and
c) the evidence of the accused in the Court.

Re: Inadequate Accommodation and Sanitary Arrangements
(Sub paras "a" of 1st and 2nd charges).
The Intendance Officer of the Camp was actually in charge of these affairs and Saito in compliance with orders assisted him and the Camp Commandant, in an advisory capacity.
The Court has heard the evidence of Maj. Ando, Col. Tokunaga, and the accused SAITO, verifying this fact.
On several occasions Dr. Saito advised Col. Tokunaga of the necessity of easing overcrowding which might prove dangerous in encouraging disease and spreading epidemics. SAITO's suggestion were, either to build additional huts or to establish a new Camp. The Court remembers the evidence that the accused advised the Camp Commandant to utilize vacant huts when the 1st draft of P.O.W.s embarked for Japan in Jan. '43.

It is true that the Sanitary equipment left something to be desired, but the accused explained at length what part he took in improving the situation in the Camp.

And great improvements resulted from persistant suggestions by the accused to the Camp Commandant. Col. Tokunaga assisted by the accused took steps to ease the deficiency in sanitation, daily cleaning of drains, opening of a bath-house, an increase of beds, destruction of insects within the Camp ,and many other measures were taken to better the sanitary condition. The Court remembers, no doubt, the evidence of the accused in which he explained his part in all these improvements.

The witness Lt.Col Crawford states that he requested Dr Saito to remove barbed wire from the drain, as it was obstructing the way out for refuse, and thus creating unsanitary condition. The request was not granted the witness said. But, the purpose of the barbed wire was to prevent P.O.W.s escaping, therefore it was not practicable to remove it. Furthermore, according to Dr. Saito 's evidence, he managed to obtain an order from the Camp Commandant to clean the drains daily, thus avoiding the necessity of removing the barbed wire, and at the same time complying with the request made by Lt. Col. Crawford. Having no authority to deal independandly, the accused as a medical officer did his best in an advisory capacity, to improve the accommodation and sanitation of the Camp. I wish the Court to reconsider carefully the alleged guilt of Dr. Saito in the charges above stated.

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Re: Lack of food (Subparas "a" of the 1st and 5th charges).

The health of P.O.W.s was, no doubt, effected by lack of food in the Camp. But, can Dr. Saito be, in any way, responsible for this? The answer is no. As a medical officer he had very little to do with the matter of food supply. That was entirely in the hands of the Camp's Intendant Officer, who under the orders of the Camp Commandant looked after the supply and issue of rations. The scale of ration was fixed by the Governor general's Office, and it could have been in no way altered by any member of the Japanese P.O.W. Camp staff.

It is a fact that the Japanese diet differs somewhat from that of the European, and an absolute change to Japanese diet for those who are unaccustomed, would result in a general weakness and lack of resistance to disease. Furthermore, when the said diet was not full-scale, well balanced diet, the suffering of the European would be increased. As a result, disease broke out in the Camp, these included Beri Beri, Palagra, etc. The accused observing this alarming state of affairs, immediately advised the Camp Commandant that rations

rations/

should be increased. But, unfortunately, it was not within the authority of the Camp Commandant to do so.

Working parties outside the Camp received an extra food ration, and the P.O.W.s themselves decided to share that food equally among workers and non-workers. As non-workers were in the majority (80% to 90%) the working men soon began to suffer the lack of food . The accused, from the first, strongly advised against the equal distribution of this ration, to the P.O.W. medical staff, but was disregarded. Furthermore, on Dr. Saito's advice to the Camp Commandant light workers within the Camp were allotted the working ration. Also, on Dr. Saito's recommendation to the Camp Commandant, vacant land within the Camp was used for vegetable gardens by P.O.W.s to suppliment their rations.

Re: Lack of Clothing. (Sub paras a" of the 1st and 2nd charges). Clothing issue was also controlled by the Governor General's Office, and accordingly the Camp's Intendent Officer under the orders of the Camp Commandant dealt with this matter. In the beginning, the blankets possessed by P.O.W.s were unevenly in number (some having 3 while other 1 or none). This came under Dr. Saito's notice and he took measures to enforce equal division of such blankets. As a Japanese Medical Officer attached to the Camp it did not come within the scope of his authority to make any material improvement where clothing was concerned.

Re: Failure to provide medical treatment, equipment and supplies. (Sub paras "b" of the 1st and 2nd charges, and para "a" of the 5th charge.)

It has already been made clear to the Court that the accused supervising the work of P.O.W. doctors, had nothing to do with diagnosis and treatment of P.O.W. cases.

As for the responsibility of supply of drugs and equipment, the accused in accordance with requests from P.O.W. medical staff, would indent for the necessary supplies through the Camp Commandant. The Camp Commandant would then, with the assistance of Dr. Saito, take steps to procure them.

When the permission to purchase drugs localy was obtained from the Goveror General's Office, the accused after consultation with the Chief of Medical Staff Col Eguchi, immediately contacted various Japanese and Chinese pharmacies in Canton and Hong Kong. He did his best to purchase necessary drugs through the all known to him sources. However, actual responsibility to purchase drugs was with the Camp's Intendant Officer, and Dr Saito's job was to assist in that using his medical qualification.

qualification./

This has been verified by the evidences of the accused, witness Maj Ando and based on Sub para 2 of the Article XXI of "The Detailed POW Treatment Regulations" (Exibit J5) and Article 272 of "The Army Internal Service Regulations".

I wish to give a brief outline of the measures taken by Dr. Saito to combat the various diseases in the Camp, during his term of duty as Medical Officer.

Avitaminosis (which xx covers Beri Beri, Palagra, etc) broke out in the Camp in Feb. 42 and a considerable number of P.O.W. became effected. It was obviously due to an inadequate ration supply and moreover, lack of supplementary foods (meat, vegetable etc.). The Accused alarmed by the situation approached the Camp Commandant and urged him to improve the matter.

In April 44. when Beri Beri was prevalent at Shamshuipo Camp, yeast tablets and vitamin injections were made available immediately for POWs on Dr. Saito's request xx through the Camp Commandant. The Accused has testified himself to this effect.

Dysentery,- According to the witness Lt. Col. Crawford, xxx was rife in the Colony among British and Canadian troops prior to the capitulation, in Dec. 41. Overcrowded accommodation in the Camp and negligable sanitary arrangements added to the state of affairs. The accused waged warfare against flies - in the Camps. He also discovered a large deposit of Magxxxxxxx. Magnesium Sulphate at Stanley Fort which was made available to all POW Camps and Hospitals in Hong Kong. He made frequent requests through the Camp Commandant to the Governor General's Office for drugs, but apparently lack of co-operation from the Medical Branch made his task a difficult one. Actually, until Apr.42, no request for drugs was ever granted. The Medical Branch in April 42 allocated the sum of 10,000 Yen monthly to the POW Camp, for the purchase of drugs etc. from civil sources. This was a considerable amount of money at the beginning when prices were reasonable, but later with prices rising its purchasing power somewhat decreased. Requests for the allowance to be increased, made by Dr. Saito, were refused. However, the situation much improved in Aug. 43 when drugs became available through Japanese Army Hospital and Medical Supply Depot.

Diphtheria -

When several suspected diphtheria cases came to light in Shamshuipo Camp on the 24 Jan. 42, Dr. Saito through the Camp Commandant hospitalized the cases at the St. Theresa Hospital; and, had the Army Anti-Epidemic Centre xx examine the throat swabs. The results were negative, but one of the suspected diphtheria cases died. On the accused's orders

/orders

a POW Medical Officer carried out a Post Mortem and found diphtheria germs. Subsequently Saito obtained some anti-diphtheria serum from Bowen Road Hospital and had it administered to the diphtheria suspects, who recovered. Having no doubt that Diphtheria was in the Camp, Dr. Saito reported the matter to the Camp Commandant and requested him to take preventative measures.

The following steps were taken:-

a) POW doctors were encouraged to carry out examinations of the men's throats.
b) All suspected cases were hospitalised in St. Theresa Hospital.
c) Huts were disinfected with creasole and carbolic acid solution.
d) POWs were advised to gargle xxx with xxx pottasium permangangate solution, before every meal.
e) Wearing masks was enforced.
f) Clothing and bedding were frequently laid in the sun for disinfection.

xx Also a Section of the Anti`Epidemic Centre was requested xxxxxxxxx in the examination of throat swabs. But due to an epidemic of cholera in the Colony at that time, they were fully occupied combatting this evil. The Centre managed to send a section to Shamshuipo Camp on 1 September, 42, xxxx over two months later.

In Aug. 42 a few suspected diphtheria cases were brought to Bowen Road Hosp. from North Pt. Camp. POW Medical Officers diagnosed them as Ludweig and Vincent Angina. However, Dr. Saito had suspicions that these were, in fact, diphtheria cases, and when one of the patients died the infected membrane was found in his throat. Reporting the matter to the Camp Commandant, the accused enforced the same measures as were taken in Shamshuipo Camp in June. xx North Pt. Camp was never visited by the personnel of the Anti-Epidemic Centre in spite of Dr. Siato's demands. /

Dr. Saito being unfamiliar with the local drug market, consulted Chief of Medical Staff and through his introduction purchased locally 23000 230,000 units of Diphtheria anti-toxin during July and August 42. Realising that more serum was urgently needed to check the death-rate, the accused through the Camp Commandant urged higher authorities to obtained serum from Army sources. He made a few visits to Canton, but did not find any there. Towards the end of September, 1942, through the Chief of Medical Staff, and at the end of October, 1942, the accused obtained 700,000 units and 4,800,000 units for these months respectively. The evidence of Dr. Saito and Exhibit. T. support this statement. Dr. Saito did all in his power to check the epidemic, and if his endeavours were in vain at the beginning, circumstances were against him.

against him./

The witnesses Gray, Henry, K.Y. Hsu, and Nazarin stated that there was enough serum in the Colony prior to the Japanese Occupation, but they failed to prove whether that serum was available on the market during the epidemic. The fact is already known to the Court, that soon after the occupation the Japanese Army and Navy removed large stocks of medical supplies from the Colony for their own use. Witness Lt. Col. Crawford stated that he bought serum through the camp's guard from local pharmacy sources but the amount was very small. The same witness also suggested to the accused to obtain serum from Tokyo. It would appear that the witness knew that there was no serum on the local market, at that time.

The high death rate can be explained thus:

1. Malnutrition decreased the body's resistance to disease.
2. Overcrowding helped spread the disease.
3. Serum could not be obtained in sufficient quantity to check the diphtheria in the beginning.
4. Delay in employing the assistance of the Anti-Epidemic Centre.
5. In spite of warning from Dr. Saito, Canadian POWs failed to regard elementary precautions against diphtheria.

The considerable delay in obtaining serum from Japanese Army Sources can be attributed only to the general attitude of the Japanese Government towards POWs. Officials such as the Governor General were reluctant to show concern in the welfare of POWs. It is clear to us all from the testimonies of the accused ~~that~~ Saito, and accused Tokunaga that their best efforts to improve conditions in the Camp met with disapproval in higher circles.

re: Treatment and Hospitalization.

According to the evidence of Dr. Saito and Lt. Col. Crawford, the POW medical staff was directly responsible for the diagnosis,&treatment, ~~and hospitalization~~ of POWs. They also hospitalized POWs within the Camp. For a POW to be admitted to an outside hospital, his case would have to be put forward for the consideration of the Camp Commandant, either through Dr. Saito or a Camp Commander. In no circumstances, was hospitalization carried out without the consent of the Camp Commandant. Art.24 of the detailed POW Regulations explained by Maj. Ando, supported this statement.

The General Affairs Section was responsible for transporting a patient to hospital. When a patient was to be taken from Kowloon ~~from th~~ to the Bowen Road Hospital Hong Kong, a boat had to be obtained from the shipping unit. This unit would allot a boat for POW patients twice a month, which was reduced to one a month in 1944. This was hardly an adequate service, and non-cooperation caused delays in transferring

in transferring/
Kowloon POW patients to Hong Kong Hospitals.

Some witnesses consider Dr. Saito accountable for delay in hospitalization of Kowloon POW patients causing the death of some of them. Nevertheless, the Court must consider the fact that Dr. Saito had no powers to improve conditions of the hospital transport service.

I wish to draw the Court's attention to some incidents concerning delays in hospitalization.

Mr. Lapoint's case -

On receiving the request from a POW medical officer to hospitalize Lapoint who was suffering severely from dysentery, Dr. Saito through the Camp Commandant asked the General Affairs Section to provide transportation. A boat was made available by the shipping unit two days after the request., Soon after admittance to Bowen Road Hospital the patient died there. Witnesses Dr. Anderson, Macarthy, and Col. Bawie stated that Lapoint died on the way to the hospital. Witness Capt. Bard who accompanied the patient to the hospital and Dr. Saito, both stated that the patient actually died in the hospital. I wish the Court to consider inaccuracy in the statements of some witnesses.

Mr. Rapp's case -

When the St. Theresa Hospital was closed down, Mr. Rapp was a serious case there and had to be moved to Bowen Road Hospital. He was taken back to the Camp prior to re-hospitalization. Apparently the same two days delay from the part of the Shipping Unit happen, consequently resulting the death of Rapp soon after admission in the Hospital.

Maj Hook's case.-

Maj Hook was

In Jun'45 at Shamshuipo Camp for about a week Maj Hook was considered as a malaria case. POW Medical Officer, Capt. Strahan, through Lt. Wada informed Dr. Saito of this being a possible cerebro-spinal meningitis case. The accused examined the patient himself and found the diagnosis to be correct. A hospitalization order was obtained immediately from the Camp Commandant, but the General Affairs Section was not able to provide transportation until the following day. After admission to the hospital, Maj. Hook died a week later.

Witness Lt. Col Frederick states that on one occasion Dr. Saito was requested by Lt. Col. Robertson to hospitalize a patient whose life was in danger. The accused answered, "Let him die" - And, as the result of this refusal the patient died next day,- continued this witness. The contents of Lt. Col. Robertson's Affidavit (Exhibit S.1.) well known to the Court

the Court/

there was nothing said about this incident. Had it happened, Lt.Col Robertson as a person directly conserned would, no doubt, have mentioned it in his testimony. Careful consideration should be given to the reliability of Lt.Col Frederick's allegation.

Witness Dr Rodrigoes stated that he wanted 7 serious cases of dysentery to be send to the hospital, but permission was given only after 3 days of delay. On the day of admission into the St.Theresa Hosp 3 of these paitients died and the other 3 died few days later. There is nothig entered in Exibit "K" to the fact that 6 dysentery paitients died at St Theresa Hosp. as stated by the witness. Dr Saito also knows nothing about it.

Regarding the attendance of sick POWs on daily Roll Call parade, it is understood from statements of the accused Tokunaga and Tanaka that POWs themselves decided who should be present on parade and who was not fit enough to attend. Furthermore, Dr Saito never attended any roll call, as this was the responsibility of the individual Camp Comanders.

re: Selection of Drafts for Japan.

The short notice was given when POW drafts were to be embarked for Japan. On these occasions the accused consulted POW Medical Officers and asked them to pick out fit men for final selection. Taking for granted that the POW doctors had submitted only fit men, Dr. Saito passed on appearance those he considered most fit. Dr. Saito did not have time to examine men for the draft thoroughly himself, and relied on the POW doctors to do this well. However, if unfit men were included in the drafts, it is not the fault of the accused. When further drafts were to be embarked for Japan, Dr. Saito introduced the method of a P.T. tests in order to determine the fitness of selectees.

Witness Mr. Hopkins describing the selection parade for the draft for Japan on 15 Dec. 43, states, that the POWs were asked to run a distance up to 50 yards. W.O. Jack and R.S.M. Walker were chosen at that time as fit, and sent to Japan. Witness Mr. Tautz states that Maj. Ashton Rose was present at this parade and assisted Dr. Saito in selection, and unfit men were put aside on their decision. Therefore, if W.O. Jack and Walker were found seriously ill at a later date in Japan, these men became ill either on the way or after arrival; they were certainly fit men when drafted. Apart from this, I wish to draw attentionto the fact stated by Lt. Col. Crawford that from Jan 1943 selection of men for drafts was entirely in the hands of POW medical staff. ~~/ The Court will recall certain witnesses for prosecution stating that some POWs not quite fit forced themselves to endure the P.T. tests, in the hope that there~~

staff./

The witness Mr Evans stated that some POWs though not quite fit forced themselves to endure the P.T. tests, in the hope that there might be better condition somewhere else than in HK

Maj Reid in his affidavit (Exibit W) stated that few diphteria cases were included in a draft for Japan. He said one case developed about month and three others few months after arrival in Japan. However, it is well known fact that incubation period could not extend over matter of months. Dr Coombs in his statement said that usual period of incubation is 3 to 5 days. /

There was a statement to the effect that when POWs from North Point Camp had to be moved to Shamshuipo Camp, in Sept'42, some diphteria and other disease cases were refused hospitalization by a Japanese Medical Officer, and also sick POWs who were unable to walk threatened with execution. There was a Japanese Medical Officer Lt Sawada who independadly from Dr Saito supervised medical affairs in the Camp, and when Sawada left his post a Camp Commander dealt with a matter of admittance POWs in the hospital. As for execution threats, it sounds like product of an imaginative mind.

Argyle Str Camp.

Regarding Maj Armstrong's case, at Argyle Str. Camp. It has been testified that his hospitalization was delayed for a period of over a month. As it was mentioned previously, the Shipping Unit made available only two boats per month for the POW Camp. There might have been delay of several days, but never was a case of a month.

Sometime in Oct'42, Dr Saito was informed by Lt Wada, the Argyle Str Camp Commander, that Lt Boker urgently needed hospitalization. Unfortunately, a boat was not available on that day. The accused suggested to the Camp Commandant Col Tokunaga to take the paitient to the Indian Military Hospital, but it was not permitted on account of an order from the Governor General that British personnel were not to be assosiate with Indians. As a result Lt Boker was admitted into the Bowen Rd Hospital only the following day. The accused Saito explained this matter before the Court. /

A statement to the fact that Lt Gutters was admitted to the Hospital three days after a request was made by POW Medical Staff. Dr Saito stated he never had any requests conserning Lt Gutter , Furthermore, St Theresa Hospital was only a short distance from The Argyle Str Camp, therefore there could not have been any delay in hospitalization.

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hospitalization. /

Lt Auston's case:- On some evening in March 1944, POW Medical Officer Evans personnaly requested Dr Saito to have Lt Auston moved for an urgent operation to the hospital. As that time St Theresa Hospital was no longer available for the POW XXXXXXXXXXX, Dr Saito with the permission of the Camp Commandant had Lt Auston taken to the Indian Military Hospital, where on the same night an operation was performed by the POW Medical Officers. The allegations were:- a/ a POW surgeon and his three assistants were to carry Lt Auston on a stretcher to the operation room and back to the Camp;- which, admittedly, rather unusual; b/ the paitient immediately after operation had to be taken back to the Camp,- which might have affected the condition of the paitinet at that stage. It is true, there was a fact like stated above. However, The Court had already heard about the Governor General's order not to use Indian Military Hospital for the British personnel. Col Tokunaga parmitted the use of an operation room of the Hospital only on condition that the paitient and POW Medical Staff accompanied him should leave the Hospital immediately after operation.

Capt Strahan in his affidavit (Exibit L1) stated that there was a case of Perforated Gastric Ulcer, which urgently required operation. He said that from mid-day onwards there were five requests made for immediate hospitalization, but without result. Only late at night the paitient was operated, and died of exposure- as it stated. To answer this allegation: firstly, Dr Saito stated he never heard of five requests ever made to him within few hours, conserning the case and he also never heard of any death occured in such circumstances; secondly, ~~suppose XXX~~ suppose some paitient really died after operation because of an exposure. Why was he allowed to be exposed? Were there not enough blankets in the Camp to cover one man, in order to protect him from an exposure?. The statement of Capt Strahan is rather ambiguous.

Bowen Rd Hospital:- In Jan'45, Lt Col Bowie requested Dr Saito to have Gnr Weill, who suffered from Lymphatic Adenoma, be deep X'Rayed. The request was not granted - the statement said. According to Dr Saito's evdence, on receiving such request, he immediately, through the Camp Commandant, went to the Chief of Medical Staff and obtained his permission to use Japnaese Military Hospital for this porpose; however, the said Hospital was not sufficiently equiped to perform Deep X'Ray.

I wish the Court will take into consideration the facts just mentioned, and unfavourable circumstances on some occasions- regarding the Charge "Harsh treatment of sick POWs". Generally speaking, in the face of difficulties, as described before the Court, Dr Saito did his best to supervise Medical Affairs in The POW Camp satisfactory.

Re- Beating POWs:- The allegation that Dr Saito slapped Capt Campbell and Maj Robertson at Shamshuipo Camp for failing to salute to him, is not sufficiently convincing, to charge him with that.

with that./

The accused Saito said he knows nothing about this incident.

The accused Saito has admitted that he slapped Lt Col Crawford and his Medical Orderlies. However, it was for the instructional purpose, and due to his anxiety over XXXXXXXXX unsatisfactory states of affairs conserning Canadian diphteria cases. He admitted XXX that he lost his temper on this occasion; and also in the case of slaping Maj Boxer which took place during an urgument over the signing of the parrol "Not to escape".

Lt Col Bowie was slapped by the accused for the failure to comply with his orders. Refference: Air raid of American Air Force.

Slapping of Murray and Archibald was because they were found in the act of stealing.

Re- slapping in general. It is customary in Japanese Army, and it has been always carried out for the instructional purpose. It could not be considered either punishment or illtreatment.

re- Inhuman working of POWs when they were unfit:-

The POW labour-parties for the work outside of the Camp, and the number of men required, was decided by the Governor General's Office. The men , whether they were fit or not to work, were selected by the POW themselves. The accused Saito was in no way connected regarding this matter. To verify this, the Court had heard the XXX evidences of Lt Col Bailie, Lt Prophet, Col Tokunaga and Dr Saito.

Complying with the order of the Camp Commandant Col Tokunaga the accused Dr Saito for few days was present at the Happy Valley to observe the work of POWs, from medical point of view. The result of his inspections was only to the improvement of POWs condition. Unfit men were taken off work, and those who were ill immediately hospitalized; the ration were increased, and the work itself was made much easier than it was. Reference:- statement of the accused Saito to that effect.

To conclude this, I hope the Court will consider all possible aspect in the defence of the accused Dr Saito, and make allowances for extremely unfavourable circumstances connected with the duties of the Medical Officer attached to the Hong Kong POW Camp.

The 3rd Accused, Lt Tanaka.- By Mr Fujita.

re- 1st Charge:- According to the charge the accused Lt Tanaka is held responsible for certain illegal acts of his subordinates. He was the Chief of Intelligence(or rather Information) Section, and is considered responsible for the supervision of interpreters and acted as the adjutant .

His duty as a chief of Intelligence Section was to carry out the investigation of documents to establish the identity of POWs. The Chief of Intelligence Section was not in a position to be given authority to command any interpreter. This supervision of the interpreters was wholly responsibility of Col Tokunaga. It has been made clear by the evidence of Col Tokunaga and Lt Tanaka before the Court. Therefore whatever the interpreter may have done, it was no concern of Lt Tanaka neither was he held officially responsible for the interpreters actions.

Also, upon Col Tokunaga rested the supervision of the guards, and this Office was carried out by an adjutant appointed by the Camp Commandant.

On 1 Apr'44 Lt Tanaka was appointed adjutant, and he disapprove of the matter that the guards being stationed at each Camp, because he considered that they could be supervised more successfully if a home-base was established to which the guards would return after duty, and be detailed each day for duty at particular point.

Lt Tanaka suggested this system to the Camp Commandant , and the guards were concentrated at Jubilee Bldg and became an organised Guard Unit. The accused in dealing with his guards introduced tours of inspection by the NCOs to dicourage possibility of illtreatment of POWs. The guards assigned to each Camp were under the supervision of a Commander and NCOs. It is to be said that Lt Tanaka did much to smarten up the guard system, when he took over. We have no doubts that his duty was well done. However, Lt Tanaka should not be held responsible for any deviation from the rules set down which might have resulted in assaults upon any POW.

We have learned from other evidences, at this stage, where the responsibility lay regarding POW who were drafted to Japan as working parties. POW Medical Officers and Japanese Doctors made the selection. Lt Tanaka been merely an Adjutant and without any qualifications as a physician, would not likely be asked to take a part in the selection of POWs for the Drafts, and he did not take this part. This has been verified by the accused before the Court. However, Lt Tanaka was asked by the Camp Commandant to assist him by making out a nominal rolls of the members of these working parties. This clerical assistance was the beginning and the end of the accused's connection with this affair.

affair./

Lt Barnet's Case:- About Aug'44 there occured an incident when Lt Barnet was assaulted for having spoken to Mr Zindell, International Red Cross Represantative, without having permission to do so from Col Tokunaga. Lt Tanaka had nothing to do with this incident , exept that he interceeded on behalf of Lt Barnett and thereby had him excused from punishment. Lt Barnett endorses this fact in the affidavit (Exib. M2): " On 16 Aug they send for me again and told me that by his (Lt Tanaka's) personal intercession with Col Tokunaga , I was going to be treated as an officer, and excused the punishment which I would otherwise have incurred".

Shortly after this incident Lt Barnett was interrogated on a supposition of his attemted escape, by the accused Tanaka and Niimori in the Shamshuipo Camp Hospital. The accused Lt Tanaka and interpreter Niimori individually received orders to interrogate this case. The accused with his interpreter went to the Hospital accompanied by Niimori. At the Hospital the accused through his interpreter began to interrogate Lt Barnett. However, Niimori considered that interrogation was very mild, and after putting a few inquiries to Lt Barnett, took it into his own hands and began to beat Lt Barnett. The accused at first hesitated to interfere but on second thoughts did so by telling Niimori that this was not the right method of interrogation, Niimori agrred and they left the Hospital together. Lt Tanaka did not assaulted Lt Barnett and this has been verified in the affidavit mentioned above (Exib. M 2).

The interpreter Niimori was a civilian in a position equivalent to the rank of Japanese Army officer, attached to POW Camp HQ. His orders came directly from the Camp Commandant and he acknowledged no other instructions. On this occasion Lt Tanaka and Niimori made interrogation independently from each other. Niimori did not acted as Tanaka's interpreter. As already mentioned, the accused had his own interpreter with him. However, when Niimori began to beat Lt Barnett the accused did not interfere before Lt Barnett had been struck 6 or 7 times. Lt Tanaka cannot be held responsible for this beating. The accused's position was that of a bystander and the Court must understand that he had no authority to give any order that this beating should ceased.

As for Hong Kong POW Camp, it was consistant with all camps which were scattered at various places. These camps were not branch camps of Government organisation. Consequently, a Commander of such a camp does not hold any authority as a chief of his camp but takes on a position merely as liason officer, in dealings with the Camp Commandant, and other camps and units. Even so, this commander was an officer and had a certain degree of authority over Japanese NCOs and some interpreters attached to his camp. Lt Tanaka in his position as Commander of the Officers Camp had

had/
no say in the matter of supplies and other arrangments in the Camp. His job was assigned directly by the order of Col. Tokunaga the Camp Commandant. It is clearly shown before the Court by the accused Tanaka and Col Tokunaga that this was so. This is endorsed by Lt.Col Kerr's testimony (Ref. page 348 of the Proceeding): "He (Tanaka) came sometimes to Roll Call; sometimes inspected the Camp periodically and then again, I say, came to these mid-week conferrences, but I would say that his job was to look us over and he had very little power; reference to be made to senior officers, and presumably this was to Col Tokunaga".

At the time of Tanaka's appointment as a Camp Commander it was laid down that the guards were not to be supervised a Commanders i/c of the Camps, but by the Adjutant. It has been made clear by the accused himself and endorsed by the witness Lt.Col Kerr's testimony: " His (Tanaka's) attitude was that he had no responsibility over the guards." However, Lt Tanaka is not to be held responsible for the behaviour of the guards. But I will say that Lt Tanaka even though his was a position affording him no power were the guards were concerned, did not believe in shuting his eyes to misconduct of the guards towards POWs. Any complaints by POWs in this matter were reported to the Adjutant and he reqested that these particular offenders should not on any other occasion be assigned to his Camp. Also after these complains the guards were forbidden to enter the inside fence of the Camp. In this way, he adopted a satisfactory policy in dealing with the assaults on POWs.

Lt Tanaka had no knowledge whatsoever of the incident that interpreter Niimori assaulted a POW named McLeod, when about Dec'43 50 POW orderlies of the Officers Camp left the Camp on draft for Japan. Supposing that Tanaka did see this assault there is little that he could have done with authority to interfere.

Sub/Lt Glover's Case:- The beating up of S/Lt Glover did not occur during the term of office as Camp Commander of Lt Tanaka. This was also has been made clear by Glover's testimony.

The incident of Lt.Col Penhold being beaten up took place during the term of office of Lt Sanemori. According to S/Lt Glover's evidence, on May 28th 1942, he was called up by Lt Sanemori to the office and assaulted there. S/Lt Glover said: "Two days after this Lt.Col Penhold was made to stand outside the guard house at attention for several hours for a similar offence".

Regarding the allegation of Sgull's beating. That had happened during the the time when Lt Hara was the Commander i/c of the Camp.

the Camp./

In connection with the incident when Rlph Goodwin escaped in 17 Jul'44, the interrogation of Lt Wilcox and others was carried out by Gendarme and the interpreter Niimori. The accused had nothing whatsoever to do with this matter. Lt Tanaka's only connection with this case was that he , complying with the orders from the Camp Commandant, requested the Garrison Unit to organise search party for the recapture of Goodwin. If Wilckox and the others were assaulted during the interrogation, Lt Tanaka was in no way consern or responsible for it. That fact was made clear by the accused himself in the evidence.

re- Charge No.6:- Lt Tanaka did not take part in the interrogation of the four Canadians, who were recaptured after their attempted escape from North Point Camp. The accused did enter the room where the interrogation was taking place, but after few minutes he was asked to leave, and he did so immediately. The witness Mak Kee Sing testified that Lt Tanaka was present at the time the POWs were being interrogated. This matter was fully described in the case against Col Tokunaga in connection with this charge. I will say that the testimony of this witness is confused on this point.

re- Charge 11th:- In the matter of the investigation of Lt Haddok and several others, who kept the Argyle Str Officers Camp in secret communication with the Shamshuipo Camp through a Chinese drivers employed in the HK POW Camp.

Lt Tanaka did take part in this investigation but in no way had anything to do with the illtreatment of POWs conserned. The senior officer at the investigation was Capt Yokoi, at that time the Adjutant of the POW Camp. Two gendarms who were not not members of the Camp's Staff also took part in the investigation. Lt Tanaka, ordered by Capt Yokoi, requested interpreter Matsuda to bring Lt Haddock to the Officers quarters at 167 Argyle Str for the interrogation. Matsuda led Haddock to the appointed place, and handed him over to Lt Tanaka, who took him upstairs , in accordance with an order of Capt Yokoi, and questioned him for about half an hour. The evidence of Matsuda and Tanaka on this point are the same.

At that time the four POWs arrested in connection with the case, were taken to the Officers quarters. Lt Tanaka did not know that downstairs an interrogation was been carried out on the four POWs while he was questioning Lt Haddock upstairs. The accused took Haddock downstairs and handed him over to Capt Yokoi, who began to question him and slapped him. This is clear according to the evidence of the accused. The accused did not show violence to Lt Haddock or the other POWs, and this is corroborated in the evidence of witness Matsuda and witness Poon Kit Fong.

Poon Kit Fong./

Capt Yokoi was the only person responsible for this affair, and there is no evidence that the accused and Capt Yokoi conspired together in this matter. It is quite clear from the statement made by the accused that Capt Yokoi struck Lt Haddock suddenly in a cause of his interrogation. Capt Yokoi being the senior officer, Lt Tanaka did not interfere in the matter. Interference in such a matter for an inferior officer is considered out of place and intolerable in the Japanese Army.

These charges against Lt Tanaka, the Court will agree, are misplaced, and I ask that a verdict be return of not guilty on the very conclusive evidence established before the Court.

The 4th Accused, Interpreter Tsutada, Itsuo.- By Mr. Fujita.

The accused Tsutada was a Han-Nin (lower rank) civilian interpreter attached to the Army. His status was equivalent to an NCO of Japanese Army. He served at the Hong Kong POW Camp until 31 Aug. 43,.

Lt Haidelkoper's Case:- The witness Lt. Col. Crawford testified, saying:"Interpreter Tsutada removed his belt and beat Lt. H. with it about the face and head.......he (Lt. Haidekoper) told me what happened". Maj. Gray, in his affidavit (Exh. Y) stated: "On the 9th of Apr. 43, Lt. H., of Royal Netherland Navy and 11 Dutch Naval Ratings were all assaulted by the Interpreter Inoue, another interpreter named "Sutada", Japanese Pay Sgt. and a Japanese Medical S/Maj. The Dutch were slapped in the face with leather belts". The victim Lt. Haidekoper testified in his affidavit (Exh.Q2):"Two S/Majors (one of the Medical Corps and one of the Pay Corps) and two interpreters, all Japanese thrashed me with their fists and belts". According to this affidavit it is clear that several others besides Tsutada took part in beating of the Dutch POWs. Lt. Haidekoper mentioned "two interpreters" with no indication of Tsutada's name, while Lt. Col. Crawford said he was told by Lt. H. that Tsutada beat him. Judging from these evidences, it is not quite convincing that Tsutada used the belt to beat Haidekoper. The accused Tsutada stated that he had only slapped the Dutch POWs and the witness Inoue corroborated this statement. I wish to draw the Court's attention that the accused Tsutada was acting on the order from Lt. Wada, the Camp Commander that time. This fact was supported not only by the evidence of the accused, but also by Lt. Haidekoper who said in his affidavit (Exh. Q2): "This was done by Lt. Wada's orders and he was the first to slap my face twice".

Sgt. Ballingall's Case:- In his affidavit (Exh. J2) Sgt. Ballingall states: "I was then beaten by "Stauta", first with closed fist to the face, and them thrown to the ground", and further he states: "I also believe that he hit me with his sword enclosed in the scabbard". It is rather peculiar that Sgt. Ballingall should have used the ambiguous expression: "I also believe,etc." It shows that Sgt. Ballingall is not quite sure whether he was beaten by "the sword enclosed in the scabbard" or not. The witness Mr. Mabb testified: "I saw Ballingall standing near the first hut, and being beaten with the fist across the face". The Statement verifies that Tsutada merely used his hand on that occasion, and it corroborates with the evidence of the accused himself who said he only slapped Sgt. Ballingall. It is clear from the affidavit of Sgt. B. and the evidence of Mr. Mabb that Tsutada took this disciplinary action because Sgt. Ballingall failed to salute to the Camp Commandant, who was on inspection visit in the Camp. Tsutada ....

Tsutada/
stated that in this case he acted ~~xxxx~~ in accordance with the Camp Commandant's orders.

Thus, in both cases, Lt Haidekoper and Sgt Ballingall, the accused Tsutada acted on the orders of his superior officers. The witness Maj.Gen Shoji had already explained to the Court regarding orders and obedience in Japanese Army, therefore I refrain from repeating this all again.

As regards slapping in general. In Japanese Army it never considered red improper or illegal but rather common thing to do, both on the part ofthe superior personnel administering a slapping, and also on the part of the subordinates being subjected to it. Therefore, it was only natural for Tsutada to adobt a similar disciplinary measures on the POWs when he was ordered by his superiors to do so, with no thought in his mind that that might have been improper or illegal.

In the Paragraph 60,Chapter VIII of "The Manual of Military Law", ~~xxxx~~ written: "To what extend could a subordinate plead the specific command of a superior officer as an excuse justifying injury inflicted on a person ~~(civilian),~~ such command not being obviously improper or contrary to Law,is somewhat doubtful. In most cases the facts of the orders having been given would no doubt prove the innocence ~~intentions~~ of a subordinate, and would lead to his aquital on criminal charge". I feel that this Paragraph is applicable to the case of the accused Tsutada, therefore, the verdict on him should be the most lenient if not an aquital.

Pte Hinkel's Case:- Pte Hinkel, in his affidavit (Exib. G1), stated: " He (Tsutada) spoke German fluently. Sometime after my arrival, I believe it was the better part of June or the early part of July 1943, this Japanese Stodda, learned that I could speak German and started questioning me on several occasions about Canada and sought by his questions to extract information from me". Further, he stated in his deposition (Exibit F1): "He (Tsutada) was a soldier ~~xxxxx~~ wearing a Japanese military uniform with sword". The distinction in the uniforms of a ~~xxxx~~ civilian attached to the Army and a military personnel, has been made clear before the Court by the accused Col Tokunaga. Furthermore, Tsutada being an interpreteer at the Camp had no connection with the Intelligence Branch. His duties were explained by the accused Col Tokubaga and Tsutada himself. It ~~obviously~~ must have been somebody else , whom tried his intelligent methods on Private Hinkel, in order to extract a valuable information about Canada. It is sounds rather unusual that an ordinary Pte have been selected for that porpose, while a large number of officers ~~were~~was at hand.

Lt MacArthy,in his deposition (Exib. D1), stated: " I was present on a roll call in the summer of 1943 and witnessed Stodda severely beating Pte Hinkel". I think that as Pte Hinkel mistook some other person for Tsutada, Lt MacArthy too, whose deposition

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whose deposition/

was taken at the same Notary Public's Office, might have consciously made such a statement to tally that with Hinkel's.

~~xxxxxxxxxxxx~~ Let us analyse the evidence and see whether Pte Hinkel was actually subjected to violence or not. In his affidavit (Exib. G1) Hinkel states that as a result of the beating and kicking by Tsutada,.."six teeth had been kicked out, and an officer, who I believe was a dentist extracted the roots of the six teeth shortly after I regained consciousness". Had this been a fact, it should have been necessary for him to be hospitalised for a ~~xxxxxxxxxxxxx~~ treatment. However, according to the Record of Shamshuipo Camp admission and discharge book (Exib. [illegible]) was in the Hospital on two occasions; 1/ three days in May 1942 with infected foot (I.A.T.) and 2/ from Aug to Dec 1943 with dysentery and beri-beri. There is no other record of his hospitalisation on that List. Suppose, when he was admitted into the Hospital ~~xxxxxxxxx~~ with dysentery and beri beri ~~xxxxxxxxxxxxx~~ was actualy the time of inflicting an injuries on him by Tsutada, Why is there no record being mentioned of the dental treatment he must have had? Furthermore, Lt.Col Crawford in his evidence had never mentioned this incident, which probably would have been known to him. Summing all above stated we can see that Pte Hinkel's ~~xxx~~ testimony is of very doubtful reliability.

Maj Gray, in his affidavit (Exib. Y), states that Chief Officer Carkiet ~~and~~ on September 17th 1943 and Chief Writed Jones on October 10th 1943 were respectively assaulted by the accused Tsutada. For the evidences of Col Tokunag and the accused himself, it is well known to the Court now, that Tsutada was no longer ~~in the Camp~~ employed at the POW Camp that time. He was transferred to HQ 4 Division, Southern Area on 31 Aug'43. Maj Gray refered to these two incidents as a mere hearsay, therefore it was obviously misunderstanding on his part.

The witness Mr Prophet testified: " Colton came to me one day and told me Tsutada offered him some work to do. He found the nature of the work was to spy on his fellow prisoners". The nature of the accused's duties in the Camp were none other then that of an interpreter, and it is evident that he had no need whatsoever to spy on the POWs. Consequently, it could be safely presumed that there was no such fact as Tsutada having slapped Colton in this connection, or any other. Furthermore, I wish to ~~point out~~ bring the Court's attention to rather ambiguous term used by Mr Prophet in his eveidence, he said: " I believe it was Tsutada..etc.." The evidence based again on hearsay, and moreover, the motive given of the alleged

the alleged/

assault on Bolton sounds unreasonable and unconvincing. Therefore it is insufficient to justify laying criminal responsibility on the accused Tsutada.

Similary, the alleged assault on Capt Ottway and the incident ~~regarding~~ connected with the word "NIP", I am quite convinced that the accused Tsutada had nothing to do the incidents.

In consideration of these various circumstances and facts, I humbly beg that the Court would decide on a most generous verdict on the accused Tsutada.

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The 5th Accused, Sgt Harada. - By Mr Fujita.

The charge against Sgt Harada consists only of the assault on ~~Ca~~ Capt Barnett, which taken place on 10 Aug'44, at the Shamshuipo Camp.

The accused Harada had admitted the said assault. The Prosecution maintains that the accused used a stick in the beating of Capt Barnett. Sgt Harada said he only slapped him him three times with his hand. I to anylize some of the evidences consrening this incident, ~~xxx~~ so that the Court would be able to have clearer picture of what actually happened.

Capt Barnett in his Summary of Examiantion (Exib. L 2), stated: " Sgt Harada unbuckled his sword and handed it to a sentry and took up a stout stick used as a typhoon bar. He hit me on the head with it and dazed me, and then hit me again on ~~th~~ the side of the head and knocked me out." The details of this particular insident, described by Capt Barnett, are somewhat striking as too precise. Supposing, Sgt Harada really had intention to beat up him with a stck, as allegee, why should he unbuckle his sword, when he could have easy done ~~itxwith~~ ~~anyx~~ sort of beating with the sword on. Or, perhaps, the sword could be used as a weapon if necessary.

The evidences of the witnesses Mr De Silva and Mr Palmer conserning this are almost similar to the statement of Cap Barnett with the exeption of one point. They testified that the water was used to bring Barnett into conscious, while Harada administered the beating. However, Capt Barnett himself stated, as follows: " I was taken to a room near the gate and handed over to Honda, Harada and three others were there" Then he continued: " Honda drew his sword and made a sign to the NCO , we called 'made Sgt' and this Sgt hit me as hard as he could with his fist on the cheek They hit me one after the other, even the interpreter~~x~~. All exept Honda and Harada. I passed out six times. On each occasion I was revived with water and struck again". It is quite clear from this evidence that the water to revive the victim was used only when he was handed over into S/Maj Hoda's charge, and at that time, as ~~the~~ Barnett said, the accused did not take part in beating. Capt Barnett said he was hit by a Japanese nick-name "Mad Sgt", and the said NCO used only his fists, nevertheless Barnett passed out six times. Would it have been possible that he received a blows from something more substancial then a mere fist, such as a bamboo pole. Considering the evidences of ~~MrxDeSilvaxMrxPal~~ Mr DeSilva and Mr Palmer, who emphatically mentioned "water", would it be right to presume that Capt Barnett mistook Sgt Harada for someone else. The witness Lt.Col Kerr had merely mentioned that ~~SgtxHarada~~ Capt Barnett was beaten by Sgt Harada. Lt.Col Ballie said: " I was told that Barnett was there assaulted and beaten by Sgt Harada". The evidences of both witnesses have no

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have no /

foundation whatsoever. One is only hearsay and the other is too vague to consider as a serious evidence. Witness Capt Glover said he had heard the thuds as if a person was being beaten with a pole. Apart from him being considerable distance away from the spot, Capt Glover actually never witnessed anything at that time. I think it would not be necessary to regard him as a witness. As far Lt.Col Kerr, who only mentioned that Barnett was beaten by Harada, ~~there were no concrete details about it~~ there is not any details conserning the beating. Suppose, he really witnessed something like beating up a man with a bamboo pole untill he was uconscious, Col Kerr no doubt would have mentioned about it.

Mr Stoker's testimony is giving no details regarding the incident, and the contents of it are striking are of rather doubtful reliability.

Thre is also ~~there~~ descrepancy in the description of a weappon usedby the accused in the alleged assault on Cap Barnett. Witness Mr DeSilva said it was a "bamboo broom", while Capt Barnett described it as a "stick used as a typhoon bar".

The Court already knows from the testimonies of Col Tokunaga and the accused himself, that Sgt Harada obeying the orders of his superior, Camp Commandant, slapped Capt Barnett.

I hope the Court would reconsider carefully the Charge against accused Harada, which are based on rather unsubstancial evidences. Also that Sgt Harada only obeyde the orders of his superior officer, must be taken into consideration.

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PROSECUTION - CLOSING ADDRESS.

May it please the Court:-

Before discussing the details of the present case, may I, through you, extend to Mr. Fujita particularly, as leader for the Defence, but also to Mr. Hasegawa, my appreciation of, and thanks for, the many courtesies they have extended to the Prosecution.

The five Accused before you face anywhere from one to ten charges, the Accused Tokunaga has been prosecuted on ten, Saito on five, Tanaka on four and Tsutada and Harada on one each. Of the eleven charges, contained in the Charge Sheet, the first five have to do with the mistreatment of British and Canadian Prisoners of War in the various Branch Camps and Hospitals of the Hong Kong Prisoner of War administration. The remaining six are, more or less, particular charges having to do with either individual instances or, in the cases of the 9th and 10th charges, specific offences.

It is therefore my purpose, having regard to the extent in which each of the Accused is implicated, to deal with the first five charges as approaching an entity. The final six will be dealt with individually.

Of these charges, numbers one to five, the first contains every element found in any one of the other four. These elements, as reference to the Abstract of Evidence discloses, are eight in number consisting of

a) Inadequate accommodation, sanitation, food and clothing.

b) Failure to provide medical treatment, equipment, medicines and harsh treatment of sick P.O.Ws.

c) Beatings and illtreatment.

d) Working parties sent on war work and dangerous projects.

e) Inhumane working of P.O.Ws. when they were physically unfit.

f) Compulsory signing of a parole.

g) Collective punishments.

h) General ill-treatment.

Of these, because of their consequences, by far the most serious are the first two. For the first, due to the exigencies of the situation, there may have been, primarily, some excuse. The sudden need for housing a very considerable number of prisoners does present difficulties. Food and clothing in war time are often in short supply. Even lack of sanitation, for a time, is understandable. But these things can be remedied or, at least, the evidence of good will to effect betterment will do much to palliate the charge. The second, denial of medical facilities and care, because it would appear to have been unnecessary, is the more heinous.

This is not to belittle the seriousness of the other elements of these charges. Taken individually, anyone will exhibit the symptons of a by no means inconsiderable offense. En masse, they present a horrid picture of cruel and inhuman criminality.

Now, the Accused Tokunaga and Saito almost exclusively bear the burden of the first two elements. As far as the first is concerned, the onus rests mainly on Tokunaga, but shared to some extent by Saito. It is not essential to go too deeply into the details of unsanitary, overcrowded conditions. Both these Accused admit that the conditions existed.

Briefly, at Shamshuipo, huts designed for 32 men housed, throughout the whole period of imprisonment, nearly double this number. At North Point 150 men were

stacked, in double tiered bunks, into huts whose normal capacity was less than a quarter of that number, Crawford, Bailie, even Saito himself give evidence to this effect.

What the Court may consider, is the evidence respecting what steps were taken by these two Accused, but principally Tokunaga, to alleviate the situation. As far as Saito is concerned, he, it is submitted, beyond pointing out the dangers attending overcrowding, could go little. But the Court may well look askance at Tokunaga's exposition of his efforts. As appears from his own evidence, (p.424) beyond investigating the possibilities of Stanley Fort, he did nothing. He made no survey, even, of the Barrack buildings with which Hong Kong abounds. As the numbers of P.O.Ws. decreased, due to drafts to Japan, the confines of Shamshuipo shrunk, leaving empty huts outside (Crawford - p.8). In 1944, Argyle Street

At this point I would like to mention that Mr. FUJITA has stated that the empty huts were actually used by the Japanese Army; I wish the Court to notice the special use of them made by the Japanese Army, that is, the storing of empty oil drums.

not to relieve the congestion in Shamshuipo. The excuse is offered, respecting leaving huts empty, that this was the result of an order from superior authority. It may have been, but the Court is free to speculate on the probability, particularly when, according to various witnesses, no particular use was made of these huts. No effort was made to allow the P.O.Ws. to remedy the situation themselves, though this was suggested, nay advocated, by the senior Canadian Officer, Lt. Col. Home. The inescapable conclusion is, that Col. Tokunaga was quite content to allow this appalling, dangerous over-crowding to subsist and that, irrespective of conditions, he cannot be considered blameless.

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Infirmaries, or Camp Hospitals are something else, again. Here both Tokunaga and Saito must share responsibility. That conditions in these, at all three Camps, were appalling is difficult to gainsay. In Shamshuipo, Jubilee building is evacuated because, according to Saito, it had been used as a Convalescent Hospital for recovering diphtheria patients and when this epidemic was over, was no longer needed. (p.576). In North Point a small go-down is provided, many patients must perforce lie on the floor, and due tofaulty doors or leaky roof, the floor itself in rainy weather was often covered with water. (Crawford - p.6). In Argyle Street, when Cholera broke out, only an empty hut, devoid of facilities, was provided. (Strahan - Ex.L(1). The buildings themselves were miserable. In Shamshuipo windows had to be bricked up to keep out the weather, no glass was provided by the Japanese. (Crawford - p.11). In only two of three huts used by the Canadians, were there beds. Despite their protestations of appeals to the Govenor-General for amelioration, the Court must decide whether Tokunaga and Saito did anything concrete to alleviate these conditions.

But when it comes to sanitary conditions in these infirmaries, there can, it is submitted be little doubt of the culpability of both Tokunaga and Saito. Take the matter of latrine buckets alone. It is necessary to refer only to the evidence concerning the indescribable conditions of the dysentery wards in the mornings following on the blacked-out nights and to couple with this the evidence, and admissions, that the supply of latrine buckets and bed pans was insufficient. In para 19 of Exhibit W, the graphic description of J.A.G. Reid leaves little to the imagination, conditions of filth at which that same imagination boggles. And this

in a Hospital supervised by a physician, self-described as of wide knowledge, who admits the inadequacies of the facilities, but whose only reaction was to report the need for more (p.663). Even if, as he Saito, avers, there were no more latrine buckets to be had, the Court may well ask why he did not improvise. He had examples of improvisation before him, as described by Major Reid (Exhibit W), if, indeed, he ever visited these scenes of his neglect. But he didn't improvise, he didn't even go to see for himself if more stores of this nature were available. (p.663 - Q. Did you go to the Supply Depot to verify this answer (i.e. that none were available). A: I did not. Q. Did you enquire as to substitutes for buckets. A. I did not). What more need the Court consider! As for Tokunaga, he was satisfied to tell his Intendant Officer, or so he says, to get more buckets (p.497). He left the matter at that, satisfied that his Intendant Officer could and would carry out his ~~avened~~ AVERRED order. And all this in the face of a rampant dysentery epidemic.

Then there is the question of inadequate food. This Affects all three Camps and Bowen Road Hospital. That the calorific contents of the food supplied was inadequate is admitted by Saito (p.580-581), even according to his scale of reckoning. According to all the P.O.W. Doctors, notably Crawford (p.15) and Whitfield (Exh.C2), both of these men speaking with the authority of years of specialized experience and training, Saito's evidence of the insufficiency of calorific contents of the diet was, to say the least, extremely narrow. Whatever the required scale may be, there is one unmistakable conclusion. The diet was inadequate both in calories and vitamins, else why the manifest malnutrition and the tragic evidences, in the form of so many deaths, of the prevalence of beri-beri, pellagra and, for want of a better generic

name, avitaminosis.

I would like to comment here on a point made by Defence concerning Col TOKUNAGA'S treatment and loss of weight in the past eighteen months or so. One thing has not been proved, however, -- Col TOKUNAGA has not suffered from avitaminosis, pellagra or beri beri during this period. He has been well fed -- may be not as well fed as he was when he was Commandant of the POW Camps -- it is quite obvious he hasn't the same facilities. However, there is no evidence before this Court that he has been suffering in any way in health, whatsoever. Apparently he is in healthy condition and has been in good health during the entire period.

course, in the nature of things, it is essential to adhere to such scale. It is submitted, however, that this defence cannot be accepted as indisputable. It can be, and is, met at not less than two points. First, no regulation or scale of rations, laid down by a modern authority, has the immutability of the laws of the ancient Medes and Persians. They can be, and are, changed in the light of experience, to meet particular circumstances or requirements. It remains for the Court to examine if any means was open to the Accused, particularly Tokunaga, to effect, or at least initiate, a necessary change. There is ample evidence that this man had been made aware of the deficiencies in diet. Reference need only be made to the representations made by Lt. Col. Home, backed as they were by scientific authorities. An examination of the evidence of the Japanese Staff Officer, Major Ando, shows that there existed a form of petition designed for the exact purpose of pointing out deficiencies or oversights in regulations. But there is no evidence that Tokunaga took this step. He was content to abide by, and rely on, the scale of rations as laid down, except that he did, if he is to be believed, say, or write, something to his immediate superior. Then he let the matter rest, despite the mounting evidence of fatal deficiency diseases. Second, granted that a scale of rations must be followed and leaving aside the question of remedying their inadequacies, the question the Court may consider

name, avitaminosis.

Now, to this element of the charge, that is inadequate food, there is an apparent defence. A scale of rations had been laid down by a higher authority which scale must be adhered to. The Japanese Army is not remarkable for having a scale of rations, all modern armies, not living off the countryside, have and, of course, in the nature of things, it is essential to adhere to such scale. It is submitted, however, that this defence cannot be accepted as indisputable. It can be, and is, met at not less than two points. First, no regulation or scale of rations, laid down by a modern authority, has the immutability of the laws of the ancient Medes and Persians. They can be, and are, changed in the light of experience, to meet particular circumstances or requirements. It remains for the Court to examine if any means was open to the Accused, particularly Tokunaga, to effect, or at least initiate, a necessary change. There is ample evidence that this man had been made aware of the deficiencies in diet. Reference need only be made to the representations made by Lt. Col. Home, backed as they were by scientific authorities. An examination of the evidence of the Japanese Staff Officer, Major Ando, shows that there existed a form of petition designed for the exact purpose of pointing out deficiencies or oversights in regulations. But there is no evidence that Tokunaga took this step. He was content to abide by, and rely on, the scale of rations as laid down, except that he did, if he is to be believed, say, or write, something to his immediate superior. Then he let the matter rest, despite the mounting evidence of fatal deficiency diseases. Second, granted that a scale of rations must be followed and leaving aside the question of remedying their inadequacies, the question the Court may consider

is whether or not even this scale was adhered to. There is considerable evidence that it was not. Lt. Col. Bailie says, "Generally food was always short, rations never seemed to come up to our expectations (p.238). Lt. Col. Mitchell, inter alia, says, "From July '42 until about the surrender of Germany, we never got any meat at all". (p.94). Lt. Col. Fredericks, R.A.S.C., says (p.178) "The Japanese laid down a ration scale for us but never once did we receive that to which we were supposed to be entitled . . . . . on many occasions the Japanese would come in and take away from what we had". Matsuda at p.303 says that rations were often short weight. Lt. Col. Kerr (p.349) tells of an inspection by a senior Intendant Officer, the result of which was a two weeks improvement in rations, but then back to the old conditions. Even that master of understatement, he of the remarkable and convenient memory, Tanaka, depones that the rations on two occasions were short (p.691). So, it is submitted,

Here again I would like to point out that there is no evidence whatsoever save that of the Accused himself that the rations were ever made up.

charges is raised by the Accused, that is the provision of supplementary food by a) the Red Cross, b) the parcels sent in by friends and relatives outside the wire, c) by the raising of vegetables, pigs and poultry. Just how the Camp Commandant, the various Camp Commanders, particularly Tanaka, and Saito acquire merit from the provision of Red Cross supplies and the food sent in, is clear perhaps to the Japanese mentality, but is certainly obscure to the speaker. The best that can be adduced is that, having the power to deny the ingress of such ameliorations, the Japanese are to be given credit for their restraint. The Court will, of course, give what consideration is due to this exhortation. Respecting the gardening efforts, full

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One other defence to this element of the charges is raised by the Accused, that is the provision of supplementary food by a) the Red Cross, b) the parcels sent in by friends and relatives outside the wire, c) by the raising of vegetables, pigs and poultry. Just how the Camp Commandant, the various Camp Commanders, particularly Tanaka, and Saito acquire merit from the provision of Red Cross supplies and the food sent in, is clear perhaps to the Japanese mentality, but is certainly obscure to the speaker. The best that can be adduced is that, having the power to deny the ingress of such ameliorations, the Japanese are to be given credit for their restraint. The Court will, of course, give what consideration is due to this exhortation. Respecting the gardening efforts, full

marks can be given the Japanese only if the produce thereof was devoted solely to the benefit of the P.O.Ws. There is evidence to the contrary, notably that of Mr. Prophet (p.110). Eggs, he says, had to be delivered to the Hospital to the extent of 150 per diem, the balance were put on sale. The Hospital seldom got the allotted number and the men few, if any. Japanese purchased the eggs at 30 cents, the outside market price being 1 yen. Niimori in the main, took delivery of these eggs which, Mr. Prophet believes, were eventually delivered to Tokunaga. Similarly, he says, much of the pork was confiscated by the Japanese. The evidence of this Witness must be weighed against that of Tokunaga, who denies it, and discredited before this Accused is allowed to cite the garden, piggery and poultry farm in support of his defence.

Before leaving the question of inadequate food, there is a point of law to which the Court's attention is now directed. It is submitted that Japanese regulations, restrictions and legalities are to be taken into account only when they conform to the law under which this trial is conducted. A War Crime, as defined by Special Army Order, A.O. 81-1945, means a violation of the laws and usages of war. If you consult Appendix 24 of the Geneva Convention you will find its opening sentence reads, "The food rations of Prisoners of War shall be equivalent in quantity and quality to that of the depot troops." There is no restriction on this provision found in the balance of the article. Now will you consult the evidence given under cross-examination by Col. Tokunaga on the 32 day's sitting (p.504), the second question and answer :-

Q: Would you say that the Japanese soldiers got more food than the P.O.W. soldiers here?

A: As I understand it, the amount was more than the P.O.Ws.

Here is an admitted violation of one of the laws of War - A violation in which the Accused Tokunaga is indubitably concerned regardless of superior authority, or regulations. How deeply concerned he is, the Court must decide both in the light of his positive acts together with leaving those things undone which he ought to have done.

There is little to be said about inadequate clothing. Undoubtedly it was inadequate. What attempt was made to remedy this state of affairs can only be conjectured upon by the relative state of the Japanese. Certainly Tokunaga was adequately clothed, as he says himself, was he not the Commander, a full Colonel, why shouldn't he be well clothed? Why, indeed!

May the Court now turn to the consideration of the second element in the first five charges, that of failure to provide medical treatment, equipment, medicines and harsh treatment of sick Prisoners of War. This, as has been stated, because of its implications, is the more serious of all these elements. It concerns all three Camps and both Hospitals. It is directed exclusively against the two Accused, Colonel Tokunaga and Captain Saito.

It is the intention to high light one only of the three epidemics which raged in the Camp, to take this as an example which to a greater or less degree is illustrative of the treatment accorded in all three.

Diphtheria broke out in Shamshuipo in June, 1942, and in North Point in August of the same year. The epidemic raged unchecked until October and, from then on, it gradually subsided having killed its hundred or so victims and leaving in its wake paralysis and all the other ~~im~~ unpleasant effects of that disease.

The Court need not be too concerned with the origin of the disease. That with which it must deal is the cause of its spread and the attempts, or lack of them, to check its ravages.

Diphtheria is a contagious disease, that is to say, it is spread by contact and proximity. When it first shows its ugly head, then, it is of paramount importance to prevent contagion by isolating those affected, and those others who, though not affected, carry the germ and so may affect others, from the healthy but susceptible individuals to whom the disease may be passed. If such isolation is accomplished immediately the disease is so much as suspected, the incipient epidemic is stopped in its tracks and its ravages confined to the first one or two unfortunate victims. All this, of course, is completely aside from the cure of the established disease.

Now, it is not necessary to describe in detail the prophylactic measures necessary to accomplish segregation. Suffice is to say that the swabbing of throats and the examination of the swabs by bacteriological or microscopic means discloses those from whom contagion may be spread. It is axiomatic, that once ascertained who these may be, such persons should be cut off from contact with unaffected, healthy individuals.

What then happened. In June, 1942, three cases of suspected diphtheria developed in Shamshuipo. Swabs were taken and handed to the Japanese for examination. They reported a negative result. (Coombes p.188-9) Who examined these swabs and how is unanswered. What does appear from Dr. Coombes' evidence is that two of these three patients died of diphtheria.

Only three swabs were taken, soon the epidemic was raging. Complete swabbing, that is of all P.O.Ws. in Shamshuipo took place not sooner than September.

In North Point, Dr. Crawford asked for swabbing in August, 1942. Swabbing was done commencing 1 October, 1942, nearly two months afterwards.

Now, why was this swabbing and segregation not accomplished. Saito himself provides the answer. And he alone must accept the responsibility. He says he requested aid from the Japanese Anti-Epidemic Unit who were equipped to examine the swabs. This, if indeed he made the request, was not forthcoming until September. In the meantime what alternative measures did he adopt. The answer, again supplied by himself, is nothing, absolutely nothing. (p.699). It never occurred to him to enlist the aid of the Hongkong Bacteridogical Institute, though this was prepared to give the service (Leung Kwok Tai - p.218). It is not in evidence that the Medical School at Hong Kong University had similar facilities, but it is, on his own statement, that Saito, a recent graduate of a Medical College, made no enquiries to see if it had. Nor did he make any attempt to take throat swabs himself. (p.675). He says the Japanese Unit was occupied until September when they, at long last, undertook the swabbing at Shamshuipo. He makes no endeavour to explain why the P.O.Ws. at North Point had to wait until they got to Shamshuipo in October to have their throats swabbed. The conclusion is inescapable. The lack of swabbing must be laid directly at the door of Captain, Dr. Saito. Had it been done many of the lives lost, irrespective of treatment, would not only have not succumbed, but would never have been in jeopardy.

Turning from prevention, may the Court now consider cure. Here the implications are even more damning for what applies to diphtheria applies equally, or more so, to the other diseases, epidemic in the Hong Kong P.O.W. Camps. However, the diphtheria epidemic is

being taken as a model, so without in anyway restricting the implications concerning dysentery and avitaminosis, the discussion will continue to point up diphtheria.

Now, as allthe medical evidence, including that of Dr, Saito, has adduced before you, there is a specific, almost, if not quite, infallible remedy for diphtheria, that is, the administration of anti-diphtheria serum. Applied in time, and in sufficient quantity it reduces mortality to the merest fraction of that which will occur should the disease be allowed to progress unchecked. So effective is this remedy that even if administered in relatively and apparently ineffective dosages, its remedial qualities are astounding. It is on record that 494 Canadians contracted this disease. Of these 75 received no serum and almost all of the 54 who died were numbered among these 75. The importance of obtaining the serum must, therefore, be considered to be paramount. (See Crawford - p.24).

No sooner had the disease appeared in Shamshuipo, no sooner had the first patient arrived at Bowen Road, immediately the disease was suspected in North Point, did the requests for serum begin. Tokunaga, the Camp Commanders, Saito, even Seino, the Medical N.C.O. at Bowen Road, all were beseached and implored to provide serum. Naturally enough Saito, the Medical Officer, was given the job of procuring it. There was no question of authority, medicine at that period, as both he and Tokunaga have averred, could be purchased locally with the funds provided for the purpose.

Now Saito was fully aware of the urgent need for the serum if the lives of the victims were to be saved. "Diphtheria serum is absolutely necessary in the treatment of diphtheria", he says (p.604). What, then, did he do. According to his own evidence, he took a very practical initial step. He went to Colonel Eguchi, head of the

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Civilian Medical affairs and asked for advice. He was directed to a Dispensary on Queens Road, repaired there and was able to purchase a small quantity. He asked them to provide more and received directions from this concern and from Colonel Eguchi to two other Dispensaries. From these three sources, in two months, he was able to obtain the whole of 230,000 units, almost sufficient to give full doses to two, count them, two patients!

What became of these 230,000 units is a matter for some speculation. Certainly he gave none to North Point. Equally certainly, up to the end of August, he gave none to Shamshuipo. But, meanwhile, the P.O.Ws. in Shamshuipo had been able to obtain some through Guards. There is no evidence to show where the Guards got it.

Perhaps he sent it all to Bowen Road Hospital. But if such is indeed the case, then the total amount he acquired must be reduced to 100,000 units, sufficient to treat effectively three-quarters of one man. (Anderson - p.156).

It should also be mentioned that he says he journeyed to Canton in search of serum, a search entirely unproductive.

And that is literally all he did in Hong Kong. All he did was make enquiries in three Dispensaries. What else could he have done. There were many other sources of supply. Dr. Anderson with the aid of a Directory pointed out some. Offers were made to show him. That there were many Dispensaries in Hong Kong can be inferred from the evidence of several witnesses, notably Mr. Rowon, of whom more anon. But Saito made no enquiries, accepted no advice, walked blind or oblivious about the streets. Saito, to all intents and purposes and all evidence, if any (and there isn't any) to the

contrary notwithstanding, (to use a current expression) couldn't have cared less. One Witness has averred before this Court, that Saito's sentiments in the face of urgent medical needs were pithily summed up by the dictum, "Let the man die". (Fredericks - p.177). Certainly, nothing in his self avowed efforts to obtain serum gainsays this evidence.

However, granted the will, could Saito in fact have acquired serum in the Colony. That there were quantities of it here at the time of the British surrender is amply proved by a number of Witnesses. (Vide, Hopkins, Nazarin and others). Moreover, Mr. Hsu has given uncontradicted evidence that during the Japanese occupation there were ample stocks on hand (p.279-80). But, above all, and conclusive, is the evidence of Mr. Rowon. This gentleman was able, by the use of considerable energy it is true, to obtain, in a space of 24 hours, two lots of 480,000 units each, a total of nearly a million units. (p.215). He avers further that it was possible at all times to obtain this anti-toxoid in Hong Kong during the Japanese occupation because he found some after the Japanese surrender (p.216). He expresses not the slightest doubt that it was obtainable in June and July, 1942. (p.216).

Even had serum been in fact unattainable, as Saito avers, it could have been manufactured. For this purpose a horse was required and requested (Coombes - p.190-191). No horse was forthcoming. It is possible that even with the horse the serum could not have been successfully manufactured with the apparatus available. At least, an attempt would have been made. But Saito would have no part of such an experiment, the difficulties were too great, or more possibly of too much trouble to overcome. What mattered it, let the man die.

Of considerable interest, in the light of Saito's reiterated avowals of his appeals to Colonel Eguchi, is the statement by Mr. Prophit. He says a senior Medical Officer came into Camp one day, he is not sure of the date, and that immediately afterwards serum came into the Camp. (p.108 & 116). It seems likely that this Officer was Colonel Eguchi. At any rate, Saito says it was. (p.678). Of course, it may have been a coincident that serum in sufficient quantity was supplied immediately afterwards. But the Court is free to speculate on whether Eguchi had ever, in fact, been approached before, or was the occasion of his visit the first time he had been made aware of the situation?

In any event, it is submitted the preponderance of the evidence is to the effect that Saito did not make any serious endeavour to obtain serum, did not in fact obtain any effective amount although serum was available in sufficient quantities within the Colony itself.

Nor can Tokunaga escape blame in this connection. Granted that Saito was remiss in his duties, was it not Tokunaga's place to see that these were carried out, to expbre himself means of providing or manufacturing the serum. He did neither. He, too, must bear the onus of whatever the results were.

Here again I would like to comment on some of the arguments put up by Defence in regard to Tokunaga's responsibilities. The arguments put up were -- on the one hand the guards were under his command and were responsible to him -- on the other hand it is stated TOKUNAGA could not be responsible for the deeds of the guards -- after all they were his subordinates and he was their superior officer -- they were left to do as they pleased. Another point is that TOKUNAGA was under the orders of the Governor General or the Chief of Staff. Just what was TOKUNAGA'S position -- was he a messenger boy or merely a figure head there to eat his head off of Red Cross parcels. A Commander is not there merely as a figure head -- he is there to see that the other officers do their work properly and if they do not do their work properly he is to blame for it. That is his job and the job of any executive, particularly in a military organisation.

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As has been said, it is not intended to deal exhaustively with the other epidemics. Yet these were serious and, in many cases, serious in their effects. It is obvious from the evidence that the means to palliate their ravages were at hand. Specifics for dysentery, both amoebic and bacillary were at hand. Drugs and medicines with vitamin contents could have been obtained. But they weren't, or, at any rate, they weren't made available in anything like sufficient

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quantities. It is submitted that the charges respecting, not only the Camp infirmaries but also the two pertaining to Bowen Road Hospital and the Indian Medical Hospital are fully substantiated.

Nor is evidence lacking that medicines were deliberately withheld. Not only medicines but medical equipment, e.g. surgical gloves. Tokunaga himself tells of medical stores arriving on one of the three ships bringing Red Cross supplies being withheld because, forsooth, the Purser thereof said they were not to be distributed. Both Tokunaga and Saito aver that the latter distributed drugs "according to necessity" and Saito made the decision. Both are stigmatized by P.O.Ws. and the Red Cross Representative as unco-operative and obstructionist. The Court will decide whether the designations are fair.

To turn now, to the allegation in the Abstract of Evidence regarding harsh treatment of sick Prisoners of War. This has to do mainly with the transfer of the acutely ill from Camp to Hospital. That delays occurred, too frequently with fatal results, cannot be and is not denied. Both Shamshuipo and Argyle Street Camp share in this misuse. It is not the intention to deal with each case specified in the evidence. I instance only three, those of Lapointe, Bowker and Hook. All three of these died and one, at least, would have been saved and possibly alive to-day, had hospitalization and the necessary care or surgical treatment been forthcoming immediately it was requested. The question the Court is faced with is not the efficacy of prompt transfer, that is not denied, but whether or not it could have been accomplished.

Now, the defence avers that the difficulty was transport. Of course, Witness after Witness, both Medical and layman have averred that Saito and Tokunaga,

but principally Saito could be aroused from apathy in this respect only by dint of continuous and vociferous demands. The evidence of this is voluminous. If the Court permits, it will be left to the Court to appreciate its probity and weight. If that is granted, may an examination be made of this transport difficulty. Some evidence has been given by the Accused that motor transport was unavailable. This, in the light of Tanaka's evidence that there were three trucks and one, and for a time two, Staff Cars available at Forfar Street H.Q., is hardly credible. But, principally, the defence rests its case on the difficulty of water transport. The Unit in charge of ships could not, or would not make them available at all times. Be that as it may, there is ample evidence that other means were available. Sampans and junks could have been hired. Two ferry services, the Star and to a lesser extent, the Yaumati, were available. The ever-lasting excuse has been proferred that to use these, even for such particular reasons, would have been to fly into the face of the Govenor-General prohibition. How good this excuse is, the Court may well consider. For instance Tokunaga says the use of the Ferries was denied for security reasons. Just how likely security could be endangered by men so sick that even Dr. Saito had finally consented to their hospitalization is a matter over which you are unlikely to ponder to any great extent. Likewise in the case of hiring sampans. It is incredible that this prohibition would have been made to apply to such instances had the case been properly presented to the Govenor-General, or for that matter presented to him at all, properly or otherwise. In any event, this excuse completely breaks down when the British Military Hospital was moved from Bowen Road to the Central British School in Kowloon in the spring of 1945.

It was during this time, that is when the Hospital was actually on the Kowloon side, that the Hook episode took place. Here there is no question of transport, at any rate, water transport. To decide the responsibility for the non-transference of this patient to the Hospital, it is necessary to examine the contrasting statements of Saito and Capt. Strahan (Exh.L1 at p.7). Saito says he was told Hook had Malaria. Capt. Strahan says Hook took ill on 18 May, 1945, and within a very few hours showed signs of meningeal irritation. Saito was immediately informed, looked at the patient, said the diagnosis was wrong and pro pronounced the patient to be suffering from Malaria. Saito says he authorized removal of the patient immediately a request was made. Strahan says although repeated requests were made, it was not until 15 June, a month after the initial onslought of the disease, that the patient was finally sent to Hospital. Which to believe the Court will decide. In any event, it is evident, and Saito agrees, that the man was seriously ill and should have been hospitalized whatever the diagnosis.

Now, who was responsible for the state of affairs concerning hospitalization. For your consideration, it is submitted both Tokunaga and Saito. Tokunaga because his was the general responsibility, Saito because, except for the technicalities of consent, his say so, to all intents and purposes, was final.

Just two words further respecting Saito's responsibility here. He has been at great pains to point out the chain of communications necessary to obtain consent for hospitalization. Always, he says, Tokunaga's consent must be obtained. But, with a single exception, he admits that always Tokunaga relied on his opinion. Tokunaga says he always followed Saito's advice in this

respect and further avers, which Saito denies, that on occasions Saito acted without reference to him. This is borne out by the statement of Dr. Rodrigues. (p.62). Secondly, consider the matter of emergencies. Surely some provision should have been made should Tokunaga's consent, for one reason or another, have been unobtainable. Saito says no such provision was made. This is incredible; for your consideration I venture the conjecture, supported by Tokunaga's statement, backed by Dr. Rodrigues' observation, that Saito had full responsibility. Let us give the Japanese credit for at least that much savoir faire.

Now, to turn to beatings and ill-treatment. Again, I do not intend to deal with, or even mention each individual beating of which evidence has been given. Except in so far as the Accused, Tanaka, Tsutada and Harada are concerned. I will deal with the question from the point of view of responsibility. All five Accused are implicated to a greater or lesser extent. All these Camps and Bowen Road Hospital witnessed one or more of the incidences.

Now, it is self evident that corporal punishment of this kind, by definition, constitute a war crime. It matters little what the Japanese Regulations or customs may have been for the Accused face charges which are in no way affected by them. In any event there is Ando's evidence that, although prevalent in the Japanese Army, beatings and slappings strictly and technically were not countenanced.

That slappings, beatings and worse were of almost daily occurrence can hardly be denied. There are

And here again I would like to say that this is confirmed by the evidence of TSUTADA who even says that slappings and beatings were part of the training in the Japanese Army.

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That slappings, beatings and worse were of almost daily occurrence can hardly be denied. There are too many actual episodes recounted. But Tokunaga didn't know of them at least so he says. Yet what does the record show. On at least two occasions Tokunaga himself took part in the beatings, one of these, the affair of

Wiseman, he admits, albeit he belittles this thrashing he administered to a one legged man. In the case of Barnett he either gave the order "to investigate him" (meaning beat him) or it was given in his presence. Ballingall was beaten for failing to salute him. His Chief Interpreter, Niimori, administered many beatings, mostly of a particularly savage variety. Beatings were delivered on parade. There were complaints about them. Even his Medical Officer indulged himself, for instructional purposes only, of course, on more than one occasion. Yet Tokunaga commences his sworn evidence by not only denying all knowledge of beatings, but avering that they not only didn't but couldn't have happened. It is submitted that beatings were common and countenanced to the extent that they were part and parcel of the accepted policy of Colonel Tokunaga's administration.

A word here respecting the three Accused Tanaka, Tsutada and Harada. Both Tsutada and Harada admit taking part in one or more beatings. The only point at issue is the magnitude thereof. Harada was concerned with the beating of Barnett, the first beating that is. He admits hitting him three times with the open fist. This hardly tallies with the other descriptions. All say that this Accused thrashed Barnett within an inch of his life. Tsutada admits the beating of Ballingall and Huidekoper. Again, the only point at issue is how bad the beatings were. He avers he hit Huidekoper with his open hand only. Other Witnesses state he used a belt buckle. He says he administered a rebuke to Ballingall accompanied by a slap. Ballingall himself, Mabb and a number of others aver that the beating, particularly to a sick man was particularly savage. The question is one of degree and is left to the Court to decide.

Tanaka is a different case. There is no

evidence that he ever took active part in beatings. But he did stand by and watch Niimori, on at least two occasions, without intervention, administer severe, not to say savage and sadistic assaults. It is useless for him to say, as in the case of Barnett's beating in Hospital, that he could do nothing. Even he, himself, states that he contemplated interferring and did not only because he feared the consequences. Again, in the case of McLeod's beating at Argyle Street, it is patent that he was present. The statement that he saw nothing of McLeod being chased around the parade ground, as averred by Glover, Palmer and Bailie can be put down to that strange but convenient forgetfulness of which he complains.

Saito also admits beatings, though those were not severe. However, he is implicated in the beatings and tortures of Murray and Archibald at Bowen Road Hospital. How severe these were and what were their repercussions, depends entirely on whether you believe Saito, or Dr. Anderson, Murray and Archibald. Anderson says the beatings were severe enough to cause one patient to attempt suicide rather than submit to what is euphemistically known as interrogation.

Of the final five elements to these first five charges, I intend to say little. The Court has heard evidence for fifty sitting days. It is patent that working parties were sent out and, if building air fields, loading and stacking bombs and handling high octane aeroplane petrol is such, these work parties entailed war work and dangerous work. Likewise you have heard the evidence respecting working P.O.Ws. who were physically unfit, including the revolting evidence respecting medical examinations.for the purpose of selecting men to go on draft to Japan.

I would like to say one word about paroles. It is not denied that these were demanded, the demands being accompanied with threats of the consequences in the event of refusals. In fact, Regulations authorizing such procedure have been produced, albeit these are dated approximately a year after the event. It is also submitted that compelling a man to sign such a parole constitutes a War Crime. But principally I wish to comment on the evidence of Sgt. Major Lewis. Lewis has given an account of the punishment meted out to some Officers and men who refused to sign the parole. His account closely parallels that of Lt. Col. Fredericks. Unfortunately, he mentions the name of a certain Officer as having undergone the punishment. There is no doubt that he has made a mistake, but it is maintained that this mistake is in regard to the name of the Officer only, a very natural one under the circumstances, and by no means, except apparently in the eyes of the Officer himself, a very important one. Even the said Officer, if Tokunaga is to be believed, is not entirely immune when it comes to mistakes. For he avers he never was summoned to Tokunaga's house. Yet, Tokunaga himself, recounts how he summoned him to his Office and there prevailed on him to sign the parole.

A word also about collective punishments. Again, these are forbidden by International Law whatever may be their sanction by Japanese Regulations or orders. There is ample evidence that such punishments were inflicted both by reducing rations and the cutting off of amenities. Tokunaga tacitly admits the reduction in rations, though he lays the blame on his superior.

As to general ill-treatment little need be said. Stringent and multifarious regulations carrying with them, for disobedience, severe penalties. Parades of unnecessary length, often inclement weather. Sick

men forced on parade. Instance after instance is given. In one case, at least, that of Lieutenant Harper at North Point, his inclusion on an all night parade would seem to have resulted in his death.

Now, what are the implications of these eight elements effecting the first five charges. First and most serious, is that Tokunaga and Saito are directly responsible for many deaths which, but for their neglect of their duties would not have occurred. Particularly is this true in respect to Saito. The death of every man who died of diphtheria because of the failure to ensure segregation or the lack of serum is directly his responsibility no less than if he had grasped the man by the throat and choked him to death. Upwards of 200 men died as a result of this disease, of whom 54 were Canadians. Even the Japanese admit to 101. All, or nearly all of these deaths were preventable. For your consideration, it is submitted that, if you agree that Saito should have and could have prevented the vast majority of these deaths, you are finding him guilty of a War Crime comparable in all particulars to murder.

Tokunaga, too, must bear his share of the responsibility but, in this instance, perhaps to a lesser degree. But he cannot escape the consequences of his neglect to see that rations were increased, that bad housing and insanitary conditions were remedied. Deaths from dysentery and malnutrition must be accounted for by him. If you do not accept his account, again it is submitted, you are finding him guilty of a War Crime tantamount to murder.

As for the other three, Tsutada and Harada have confessed to the facts, techniquely at least. Tanaka is implicated in two beatings, if nothing else. If the Court agrees, they too are guilty of War Crimes, albeit, relatively speaking, of inconsiderable ones.

Those, it is submitted, are the implications of the first five charges.

Now the next three charges concerning the escape and recapture of four Canadians and the attempted escape of five British P.O.Ws. can conveniently be discussed together.

The sixth charge accuses Tokunaga and Tanaka of ill-treating the four Canadians when, subsequent to their recapture, they were brought to P:O.W. H.Q. at Forfar St. There can be no doubt that they were brought there. That they were mistreated is evidenced by Matsuda, Mak Kee Shing and Tanaka himself. There is, however, no evidence that Tanaka himself man handled them. Mak Kee Shing says Tanaka was present while Niimori was beating the recaptured prisoners. Tanaka says that while he could see into the room he was not actually there. It is a small point and not worth labouring. The Court will decide on whether or not he was "concerned" in this matter.

But there is no doubt that Tokunaga was concerned if, indeed, the P.O.Ws. were mistreated. He was not only present, according to Tanaka he administered a slapping to one of the P.O.Ws. If Mak Kee Shing is to be believed, his personal Interpreter, Niimori, battered the four with a baseball bat in Tokunaga's presence. Even if, as he avers, he was not present,

Another point is witness MAK KEE SHING'S identification of the scar -- Defence belittles this witness' evidence. Defence states it was not possible to discern a small scar -- it was not a small scar -- it was a large scar -- as witness described it was a scar of about an inch or more in length on his face and this may easily be seen -- even if you are not able to remember the colour of a man's eyes or the colour of his hair, you are quite easily able to remark or remember if there was a scar. I submit there can be no doubt that this witness saw the scar and that the scar was on BERZENSKI'S forehead.

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Respecting the seventh charge, all that remains for the Court to decide is Tokunaga's responsibility in what, under the Geneva Convention, and even under

the Japanese Regulation entitled The Prisoner of War Punishment Law, filed as Exhibit Z4, can be deemed nothing short of murder, a murder of convenience, if you like, but nevertheless murder.

I say the facts are beyond dispute. Aside from the confession of the Accused we have evidence of independant witnesses for practically every step the escaping POWs took from the time of their recapture, until their eventual execution. Matsuda, Mak Kee Shing, Tanaka and Tokunaga himself, all say they were taken first to Forfar St. From thence they were sent to the Kowloon

Regarding MATSUDA'S evidence, this is rather an ingenuous one. Defence submits that the POWs having undergone strain for three days were no doubt in the pitiful state which MATSUDA describes. There is no evidence that these POWs were anywhere else but in the hands of Col TOKUNAGA and the gang between the time they were recaptured and the time that they were taken to FORFAR STREET and that they were thrashed somewhere else. The fact that they were in a pitiful condition must have been a result of their interrogation on the 3rd floor of FORFAR STREET.

He saw them executed. Finally they were [illegible] remains have been recovered and identified, as attested to by Major Lightbody.

The only apparent variation in these stories is the evidence respecting the mode of execution. Lau Kam, saying that he saw the Sergeant, on his return from the cite of the execution, wiping his sword on the grass, implies that the men were beheaded. Saito says they were shot. Which ever the mode of execution, they were indubitably killed.

The eight charge differs only in one particular. The five British P.O.Ws. had attempted to escape only. They were taken to the Gendarme H.Q. in Hong Kong where they were seen, in pitiful condition, by Mr. Jackson who appeared in this Court. Subsequently, they were taken out and shot out of hand.

Now, I want to deal with these two cases together because, in so far as responsibility is concerned, the one complements the other.

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Tokunaga puts the blame on ~~Isogi~~ Arisue, Chief of Staff. He, says Tokunaga, ordered the execution and I had nothing to do but comply.

COURT: The Chief of Staff has been referred to as ARISUE throughout this trial and I think the name ISOGAI is a mistake -- he was the Governor General.

PROSECUTOR: I have made a mistake -- the person I wish to refer to is the Chief of Staff. I shall refer to him as ARISUE henceforth.

only the ringleader in the case of a desertion in group is subject to the death penalty. How, then, justify the shooting of more than one Canadian and one British, or were they all ring-leaders.

But before the Court answers this question, let it first decide if, in fact, on the evidence before it, ~~Isogi~~ Arisue had any connection with these two ~~Armies~~ crimes. The Court must first consider the various accounts given in explanation by the Accused. It is wellunderstood that the faults and difficulties respecting interpretation give rise to mistakes in translation and that, therefore, too much reliance cannot be put on what would otherwise be a damning slip of the tongue. Nevertheless, for what it is worth, let me direct your attention to Tokunaga's account of his interview with ~~Isogi~~ Arisue on the occasion of the second escape. On this occasion, he says (p.444) I was told "that escapes at Shamshuipo Camp were continually happening therefore positively this must take place", that is the execution. Why "positively", does this imply that on the other occasion he was given discretion. It is for the Court's consideration.

But far more difficult to reconcile with the Accused's fixing of the responsibility on the late Chief of Staff is the undeniable fact that he sent in two false reports to his own Government. To a Western mind his explanation of the admittedly false reports, is ludicrous in the extreme. Respecting the report concerning the

Tokunaga puts the blame on ~~Isogi~~ Arisue, Chief of Staff. He, says Tokunaga, ordered the execution and I had nothing to do but comply.

Taking this, for the moment, at its face value, was the carrying out of the alleged order a crime. I submit it was. The order was illegal both under the International Code and under the Japanese Regulation entitled the P.O.W. Punishment Law. Under this latter only the ringleader in the case of a desertion in group is subject to the death penalty. How, then, justify the shooting of more than one Canadian and one British, or were they all ring-leaders.

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four Canadians, this he says was given to save face, the face of the sentries, and possibly his own, because the four had actually made good their escape and passed the sentries. This explanation bogs down entirely when it comes to the case of the five British P.O.Ws. because they didn't escape at all, they were caught preparing to escape. No faces had to be saved then. Nevertheless, a false report maintaining that they had leaped from their truck at Ty Tom, or thereabouts, with the intention of getting away, and had been shot by the alert guard. Again, why ~~was~~ were these false reports repeated to the liberated P.O.Ws. If Tanaka is to be believed Tokunaga told his

In regard to this matter I should like to add that Col TOKUNAGA has stated that in the case of the British POWs he had to report the case because it was such an important one. This was his explanation for having made a false report to his superior authorities. It has been pointed out to him by the Court, as appears in the evidence, that in this case there was no face to be saved and, therefore, he had no reason to make a false report. If it is true that the case was such an important one why was it not simply reported as such. I leave to the consideration of the Court TOKUNAGA'S motive for making this false report.

until it came to the account of the killing. All these must be considered. Having been considered, it is open to the Court, it is submitted, to find that Tokunaga was saving in each instance, not face, but himself. In the first place because he had gone away beyond his authority and so had to come up to his own superiors and in the second because, realizing that his lieing report to Tokyo could be too easily exploded by these actually on the ground at the time, he must give a more logical explanation. If this latter is true does it not imply his exclusive guilt. For if ~~Isoji~~ [Arime?] was to blame and Tokunaga simply the instrument why not say so.

In view of these considerations it is submitted that Tokunaga may easily be determined solely to blame for the execution of the four Canadians. On the other hand, in so far as the five British P.O.Ws. are concerned in the eighth charge, it is hard to saddle anyone else with the responsibility.

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In any event, there can be literally no defence, under the circumstances, to the charge of being concerned in the killing of these two groups of men. He was, it is submitted, concerned alright and to the extent of being an accessory to the fact and hence guilty of murder.

Now, as to the ninth charge, there can be no doubt that Tokunaga misappropriated Red Cross supplies of food, at least. It was seen in his house, not only seen but one witness Leung Lui, Tokunaga's driver, not only took the goods to his house in his car but opened the cans and actually partook of the food (p.317-320). Tokunaga admits these goods were there. But his explanation of how they came to be there does nothing to enhance his innocence. They were, he says, given them by the P.O.W. Representative. What right had this worthy to give Red Cross parcels to an enemy. The Govenor-General sent him the canned goods, says he. And from whence did the Govenor-General get the goods and by what right did he present them to the Accused. No, it is difficult to accept these excuses, the evidence of Leung, backed by that of Matsuda is too strong.

There is a second part to the charge accusing him of permitting and condoning the misappropriation of such goods by his Staff. This is substantiated by Matsuda. Eugene Mak, Mak Kee Shing and a host of witnesses who saw the Red Cross cans lying about behind Forfar St. H.Q.

Defence raises a point about the date -- I am prepared to admit that from the 24th to the end of January need not be considered by the Court although TOKUNAGA was here on the 24th and should have taken over. However, I am quite prepared to admit that he was not responsible until the 31st of January - admitting that, therefore, he still has to answer the charges made by BAILIE. BAILIE tells us that he saw these things happening right through the period of imprisonment in NORTH POINT, right until the end of September. This went on to such an extent that they had to warn their own personnel to keep away from the fence in order not to encourage the Japanese to indulge in this sport.

Respecting the tenth charge, some defence has been raised by implying that someone else than P.O.W. Guards

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Respecting the tenth charge, some defence has been raised by implying that someone else than P.O.W. Guards

killed Chinese Civilians at Shamshuipo. Mind you, there are equally a number of Witnesses who have no doubts whatever that these atrocities were committed by Guards under Tokunaga. Such a one is Tausz. But whatever the case may have been at Shamshuipo, without any doubt it was Camp Guards, performing their duties as such and therefore under Tokunaga who committed the many assaults and the several murders witnessed by Lt. Col. Bailie at North Point. There can be no doubt that Captain Glover's wife was there assaulted by such Guards. And consequently the Court may be in no doubt as to the Accused's guilt or innocence on this count.

Finally there is the last charge which is against Tanaka only. All that the Court need consider is the word 'concerned'. Was the fact that Tanaka was present when Haddock was beaten, as he admits and that he otherwise took part in the arrest of Prata and two or three others interrogated at that time, sufficient to find him guilty of being 'concerned' in their maltreatment. It is submitted that he may be so found, that the degree of his concern does not affect his guilt or innocence, but only the amount of punishment to be awarded to him.

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APPENDIX.

(to the address by the Prosecutor, etc)

On the question of messing equipment. This is a small point but I would like to point this out. It is true that prisoners threw away their equipment at the beginning but that is no excuse for depriving them of it for a period of 3½ years -- they were never issued with anything like messing equipment.

Another rather peculiar point in regard to utensils is -- there is no foundation in saying that they were given to Mary Wong. There was no implication that they were ever given to Mary Wong. There were implications that Red Cross articles were found at Mary Wong's house -- that was supported by Col TOKUNAGA himself who stated that food was taken to her grandchildren at Prince Edward Road, but so far as I can remember, there is no evidence that utensils were given to Mary Wong.

I would like to mention a point which has reference to Col FREDERICK'S evidence and also other evidence; -- it is not necessary to corroborate the evidence of a witness -- corroboration is necessary in certain cases otherwise the evidence can be considered by the Court. When Col FREDERICK makes reference in his evidence as to what happened when a parole was asked for, it stands alone. Unless it is contradicted, or contradicted in cross-examination, it must be considered by the Court as proof of that which occurred.

COURT: I think Mr. FUJITA referred to a passage from the Manual of Military Law when he was addressing the Court in respect of the orders to HARADA and TSUTADA, do you wish to make any comment on that point. Page 2 of Mr. FUJITA'S address -- Mr. FUJITA cites paragraph 60, Chapter 7, do you wish to comment on that point.

(The Court consults the Manual of Military Law and observes that the reference should be paragraph 60, Chapter 8).

PROSECUTOR: I haven't got the Manual of Military Law here but I submit that it has been held by the Courts here, on various occasions, that an order to commit an illegal act of that kind is an offence. Actually, in the first case held in Hong Kong, in April of last year, two or three men had been found guilty, who had been ordered to commit illegal acts, and one at the point of a pistol, to execute a civilian. As I recall it, a punishment was given, but it was reduced, but I do not recall that the Finding was altered; the finding of Guilty remained unaltered. It is not a valid defence to say simply that the order was from a superior authority and, therefore, one had to obey. In any event, in the case of BALLINGAL, TSUTADA said he was ordered to give and inflict punishment. But in the case of HEIDERKOPER his evidence was that he was walking around and WADA told him to come over and assist in the beating. I find it difficult to understand -- There were four or five other men there. Why did they need assistance in simple slapping. Surely, slapping is not a matter of great physical exertion and if there are already four or five men administering punishment they cannot possibly be capable of getting tired out by simple slapping. Even if he avers he was ordered to do that you are to consider whether or not he is guilty. Insofar as HEIDERKOPER was concerned, TSUTADA'S evidence was that he was ordered to punish him.

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APPENDIX to Closing Address by PROSECUTION (Cont).

In the BARNETT Case, HARADA was ordered to deliver the punishment. He was ordered to 'investigate' which meant punishment by beating. It is not in evidence that he was told to go to the extent that he did. There is no evidence that he was ordered to beat the man with a typhoon bar or broom handle, but there is ample evidence that he beat him with a stick and I do not think that the defence is good in that respect.

Consequently it is submitted that being ordered to perform an illegal act cannot be raised as a defence to the commission thereof, and secondly, that in any event there is no evidence that the order, illegal or otherwise, authorized the severe beatings which were administered.

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RCL

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

NAME: TOKUNAGA Isao.

UNIT: Hongkong P.O.W. Camps Commandant.

AGE: 59. MARRIED OR SINGLE Married.

No. of Children 2 sons and 1 daughter.

Occupation before joining the Imperial Japanese Army from Military School to Regular Service in Imp. Japanese Army.

Length of Service in the Imperial Japanese Army 35 years.

from 26th December 1910 to 15th August 1945.

Positions held in the Imperial Japanese Army

Rank	Unit		From		To
2nd Lieut.	62nd Infantry, Tokushima	from	26.12.10	to	Febr. 1913.
1st Lieut.	" " "	"	Feb.1913	"	March 1916.
" "	10th Infantry Brigade "	"	March 16	"	July 1919.
Capt.	62nd " Regt. "	"	July 19	"	June 1921.
"	War Mibstry, Tokyo	"	June 21	"	June 1926.
Major	17th Infantry Regt. Akita	"	June 26	"	Aug. 1931.
Lt. Col.	[illegible]		[illegible]	"	Aug. 1936.
Col.	[illegible]		[illegible]	"	June 1940.
"	[illegible]		[illegible]	"	Jan. 1942.
Col.	Co[illegible]		[illegible]	"	Aug. 1945.

[illegible] Lt. Col.
[illegible]eagh.
[illegible] Investigation
[illegible]-C, Allied Land
[illegible] to obtain records

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RCL

DISCHARGE SLIP.

To
Officer in medical charge,
Land Forces.

No. 352506. Rank. Capt.

Name. BUSFIELD, K.

Unit. RAC att War Crimes.
was admitted on 2/2/47
was discharged on 11/2/47

His disease while in h hospital was Clinical malaria (R)
He is recommended:
___ days excused duty
light duty

D Speirans Lt/Col. [illegible]

Dt. 11/2/47 — Signature of M.O.
P.T.O

P(5)
RCL

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Major	17th Infantry Regt. Akita	" June 26	"	Aug.	1931.
Lt. Col.			"	Aug.	1936.
Col.			"	June	1940.

IAF(Med)-16 O(5)
RCL

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Major	17th Infantry Regt. Akita	"	June 26	"	Aug. 1931.
Lt. Col.	Regt. District Commdr. Matsumoto	"	Aug 31	"	Aug. 1936.
Col.	49th Infantry Regt. Kofu	"	Aug. 36	"	June 1940.
"	Eastern Army H.Q. Japan	"	June 40	"	Jan. 1942.
Col.	Commdt. of P.O.W. Camps, Hongkong	"	Jan. 42	"	Aug. 1945.

[signature] Lt. Col.

Lt. Col. Brasier-Creagh.

Officer i/c/ War Crimes Investigation Team authorised by C-in-C, Allied Land Forces, South East Asia to obtain records of War Criminals.

This Officer is recommended 5 (five) days Sick Leave in Macao.

[signature] Lt/Col.

P(5)
R.C.

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

NAME: TOKUNAGA Isao.

UNIT: Hongkong P.O.W. Camps Commandant.

AGE: 59. MARRIED OR SINGLE Married.

No. of Children 2 sons and 1 daughter.

Occupation before joining the Imperial Japanese Army from Military School to Regular Service in Imp. Japanese Army.

Length of Service in the Imperial Japanese Army 35 years.

from 26th December 1910 to 15th August 1945.

Positions held in the Imperial Japanese Army

2nd Lieut.	62nd Infantry, Tokushima	from	26.12.10	to	Febr. 1913.
1st Lieut.	" " "	"	Feb.1913	"	March 1916.
" "	10th Infantry Brigade "	"	March 16	"	July 1919.
Capt.	62nd " Regt. "	"	July 19	"	June 1921.
"	War Ministry, Tokyo	"	June 21	"	June 1926.
Major	17th Infantry Regt. Akita	"	June 26	"	Aug. 1931.
Lt. Col.	Regt. District Commdr. Matsumoto	"	Aug 31	"	Aug. 1936.
Col.	49th Infantry Regt. Kofu	"	Aug. 36	"	June 1940.
"	Eastern Army H.Q. Japan	"	June 40	"	Jan. 1942.
Col.	Commdt. of P.O.W. Camps, Hongkong	"	Jan. 42	"	Aug. 1945.

[signature] Lt. Col.
Lt. Col. Brasier-Creagh.

Officer i/c/ War Crimes Investigation Team authorised by C-in-C, Allied Land Forces, South East Asia to obtain records of War Criminals.

Q (5)
RCL

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

NAME : SAITO Shunkichi RANK : Captain.

UNIT : Imp. Japanese Army Medical Corps. P.O.W. Camps H.Q. Hongkong.

AGE : 35. MARRIED/SINGLE. Single. No. of Children Nil.

Occupation before joining te Imperial Japanese Army Doctor.

Length of service in the Imperial Japanese Army 5 years.

from 15th May, 1940 to 15th August 1945.

Positions held in the Japanse Army

Sergeant 1st Infantry Regt. Tokyo	from	15.5.40 to 15.6.40
Prob. Officer " " "	"	15.6.40 " 15.7.40
1st Lieut " " " "	"	15.7.40 " 30.7.40
" " 1st Army Hospt, Canton, China		Aug.40 " Jan. 1942.
" " Hongkong P.O.W. Camp		Jan 1942 " March 1944
Captain " " "		April 1944 to August 1945.

MEDICAL OFFICER IN CHARGE OF P.O.W. IN HONGKONG
(FORFAR ST H.Q. P.O.W. HK) Jan.1942 to August 1945

[signature] Lt. Col.
Officer i/c/ War Crimes Investigation
Team Authorised by C-in-C, Allied Land
Forces, South East Asia to obtain
Records of War Criminals.

0072 1

R(5)

R(L)

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

NAME : TANAKA Hitoshi RANK: Lieutenant.

UNIT: Artillery. Attached to Hongkong P.O.W. Camps.

AGE : 31. MARRIED OR SINGLE: Single No.OF CHILDREN Nil.

OCCUPATION BEFORE JOINING THE IMPERIAL JAPANESE ARMY Bank Clerk.

LENGTH OF SERVICE IN THE IMPERIAL JAPANESE ARMY 6 years & 4 months.

FROM??????????????????

FROM 10)TH Jan. 1939 TO 15th August, 1945.

Positions held in the Imperial Japanese Army

2nd & 1st cl. pte, 24th Artillery, Kyushu	from 10.1.39	to	31.5.40
S.Pte & Cpl. " " Manchuria	" 1.6.40	"	31.10.40
Sgt. Aux. Military Academy, "	" 1.11.40	"	25.6.40
Probationary Officer 24th Art. Kyushu & Canton	25.6.40	"	30.1.42
2nd & 1st Lieut. H.Kong P.O.W. Camps	31.1.42	"	1.4.45
1st Lieut. Independent Infantry Brigade	1.7.45	"	15.8.45

POSTS FILLED IN P.O.W. CAMP ORGANISATION AT HONGKONG

O.C. INFORMATION SECTION, P.O.W. H.Q.	31.1.42	to	1.4.45
Commdt. Upper Argyle St. Officers' Camp	20.1.43	"	April 44.
A/Commdt. Officers' Section Shamshipo Camp	May 44	"	1.4.45
O.C. General Affairs Section & Adjutant	1.2.44	"	1.4.45

[signature] Lt. Col.

Officer i/c War Crimes Investigation Team
Authorised by C-in-C, Allied Land Forces,
South East Asia to obtain records of War
Criminals.

S(5)
RCL

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

NAME : TSUTADA Itsuo RANK: Civilian Interpreter.

UNIT : Hongkong Prisoner of War Camps.

AGE: 30 MARRIED OR SINGLE Married NO. OF CHILDREN Nil.

Occupation before joining Imperial Japanese Army. Clerk in Import & Export Firm.

Length of Service in Imperial Japanese Army 3 years 4 months.

from April 1942 to August 1945

Positions held in te Imperial Japanese Army

		from		to
Civ. Interpreter,	Shamshuipo Camp, Hongkong	April 42	to	August 42.
" "	Working Party Draft of P.O.W.s to JAPAN .	Aug. 42	"	October 42.
" "	Ma-tau-chung Indian Camp (Argyle St.)	Oct. 42	"	March 1943.
" "	Shamshuipo P.W. Camp	March 42	"	Aug. 1943.
" "	4th Div. H.Q. Sumatra	Aug 43	"	Jan. 1944.
" "	4th Reconnaisance Regt. Sumatra	Jan. 44	"	Jan. 1945.
" "	" " Regt. Fr. Indo China	10.3.45	"	April 1945.
" "	" " " Siam	April 45	"	August 1945.
" "	C.R.E. ALF. Siam, Bangkok	Jan. 46	"	Feb. 1946.
" "	War Crimes Court, Singapore	March 46	"	June 1946.

[signature] Lt. Col.
Lt. Col. Brasier-Creagh

Officer i/c War Crimes Investigation Team authorised by C-in-C, Allied Land Forces, South East Asia to obtain records of War Criminals.

R.C.2
T(5.)

WAR CRIMES TRIALS

PARTICULARS OF ACCUSED.

~~XXXXX~~

NAME: HARADA Jotaro RANK: Sergeant.

Unit. Hongkong P.O.W. Camp Staff.

AGE : 29. MARRIED or SINGLE Single NO. of CHILDREN Nil.

Occupation before joining the Imperial Japanese Army Engineer in a shipbuilding yard.

Length of Service in Imperial Japanese Army 3 years &5 months

from 1st March, 1942 to 15th August, 1945.

Positions held in the Imperial Japanese Army

2nd cl.-S.Pte, Western Army, Kyusho		from 1.3.42	to Dec. 1942.
Cpl. 62nd " " Shikoku		" Dec 42	" 1.10.43
Cpl. & Sgt. P.O.W. Camps Hongkong		" 1.10.43	" 15.8.45

POSTS FILLED IN THE P.O.W. CAMP ORGANISATION AT HONGKONG

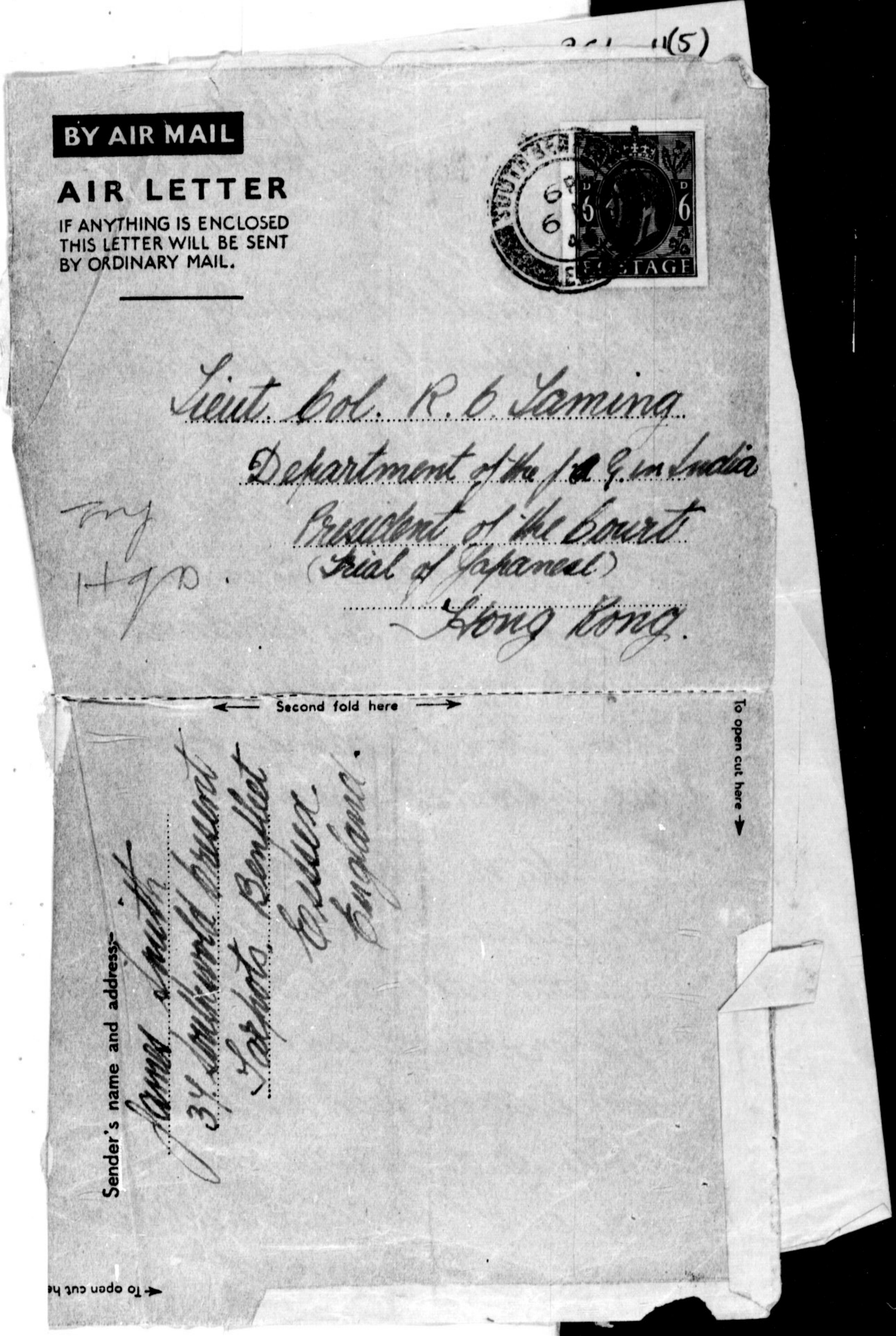
	from	to
~~P.O.W. H.Q. Forfar St.~~		
Argyle St. Camp (Officers)	" 1.10.43	" 30.3.44
Shamshuipo (Officers' section)	" 30.3.44	" 30.7.44
Argyle St. Indian Camp	30.7.44	" 17.1.45
Bowen Rd. Hospital	from 17.1.45	" 27.3.45
C.B.S. Hospital Kowloon	" 27.3.45	" 8.7.45
Shamshuipo Camp guard	" 8.7.45	" 15.8.45.

[signature] Lt. Col.
Lt.Col. Brasier-Creagh

Officer i/c/ War Crimes Investigation Team Authorised by C-in-C, Allied Land Forces, South East Asia to obtain records of War Criminals.

723

00724



BY AIR MAIL

AIR LETTER

IF ANYTHING IS ENCLOSED THIS LETTER WILL BE SENT BY ORDINARY MAIL.

POSTAGE 6D

Lieut. Col. R. C. Laming

Department of the J.A.G. in India

President of the Court

(Trial of Japanese)

Hong Kong.

Second fold here

To open cut here

Sender's name and address:

James Smith

37 Southwold Crescent

Sarphots Benfleet

Essex

England.

Benfleet, Essex.
November 6th 1946

Lt. Colonel R. C. Laming
(Department of the J.A.G. in India)

Sir

While holding no brief for Col Tokunaga, it is but fair to mention his kindness to myself, after my return to Sham Shui Po camp from the Japanese Gendarmie.

Soon after my entry to the camp S. He arrived with a very excellent meal, for me. He expressed his pleasure at my escape from the Gendarmie and said, he was sorry for my condition. His Adjutant was not so good.

(1) RCL U(5)

I have the honour
To be Sir
your Obedient Servant
James Smith

Major J. Smith
H.K.V.D.C.


H.11 A.
YOSHIMURA SHIZUO
H.11 B.
H.12 A
H.12 B.
H.12 A.
H.12 B.
H.13 A.
YOSHIDA HARUYOSHI
H.13 B.
H.13 A.
H.13 B.
H.14 A.
H.14 B.
H.14 A.
H.14 B
H.15 A.
OKAMOTO KICHITARO
H.15 A.
H.15 B.
H.16 A.
H.16 B.

PLATE. 40

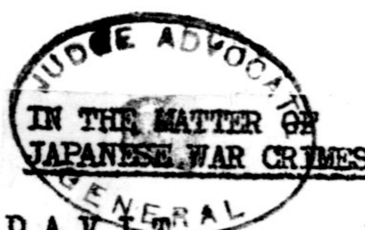
88727



PLATE 40

(PLATE 40)

H11.A	YOSHIMURA	SHIYUO	SGT
H11.B	YANAGIZAWA	SABAO	W.O
H12.A	KOGI	KAYUO	LT/COL
H12.B	YOSHIKAWA	GUNICHI	SGT
H13.A	YOSHIDA	HARUYOSHI	CAPT
H13.B	UEMURA.	GISAKU	2Cl. Pte
H14.A	UCHIDA	HIROSHI	Sgt. Maj
H14.B	TAKAHASHI	HARUHIKO	S. Pte
H15.A	TAKENAKA	SEKIMATSU	1Cl. Pte
H15.B	OKAMOTO	(YOSHITARO) KICHITARO	2Cl Pte
H16.A	SHIROMORI	RIICHI	SGT.
H16.B	SATO	YOSHIO	SGT.



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Strret, LONDON, S.W. 1. make oath and say as follows:-

The plate of photographs printed on the reverse hereof is identical with similar plates in use in this Office and similar plates despatched by this Office to the Deputy Judge Advocate General, Allied Land Forces, South East Asia. All the said plates were printed from the same film.

SWORN BY the above Montague WATERS at 6, Spring Gardens in the City of Westminster this 27th Day of March 1946. } Montague Waters (sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00729

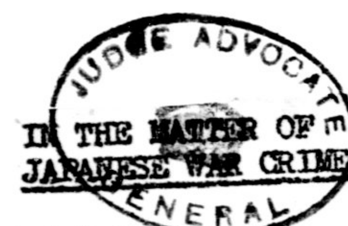


PLATE 41.


H.16 A
H.16 B
H.17 A
B.
H.17 A
H.17 B
H.18 A
H.18
H.18 A
H.18 B
H.19 A
H.19
H.19 A
H.19 B
H.20 A
H.20 B
H.20 A
H.20 B
H.21

PLATE 41.

	PLATE 41		
H16 A	SHIROMORI	RIICHI	SGT.
H16 B	SATO	YOSHIO	SGT.
H17 A	NOMA	ISAMU	CIV
H17 B	KODAMA	MITSUTOSHI	L/CPL
H18 A	NISHIZAW	KENRO	2Cl. Pte
H18 B	MATSUMOTO	CHUZABURO	Lt.
H19 A	MINAKATA	MASAMI	S. Pte
H19 B	KAMISHIRO	KATSUMAWA	CIV-SCH TEACHER
H20 A	TSUBOI	MITSUJI	W.O.
H20 B	~~KODAKA~~ KISHI	~~YUKIKATYU~~ YASUO	~~SGT~~ LT.
H21 A	ANDO	TAKASHI	1Cl. Pte
H21 B	KODAKA	YUKIKATYU	SGT



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.21 A.
H.21. B.
H.22 A.
H.22. B.
YAMAGUCHI KAZUHIKO
H.22 A
H.22. B.
H.23 A
H.23 B.
H.23 A.
H.23 B.
H.24 A.
H.24 B.
H.24 A.
H.24. B.
H.25. A.
H.25. B.
H.25 A.
H.25 B.
MASAMI
H.26 A.
H.26 B.

PLATE. 42.

08732



PLATE. 42

(PLATE 42)

H21A	ANDO	TAKASHI	1cl Pte.
H21B	KODAKA	YUKIKATYU	Sgt.
H22A	TAKA	NAOYOSHI	Sgt.
H22B	YAMAGUCHI	KAZUHIKO	S/Maj
H23A	KANAI	YADAO	S/Maj
H23B	KOIZUMI.	YASUO	S/Maj
H24A	SOSHI.	HIROMITSU	S/Maj
H24B	ASANO.	KIYOSHI	Cpl
H25A	TANAKA.	SENYO	W.O.
H25B	GOTO.	MASAMI	Sgt.
H26A	IKEDE	SAKAE	Pte.
H26B	ISHIYAMA	KAKUE	S/Maj

IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00734



PLATE. 43.


H26 A.
H26 B.
H27 A.
H27 B
H.27. A.
H.27. B
H.28 A.
H.28. B.
H.28. A.
H.28. B
H.29. A.
H.29. B.
H.29 A
H.29. B.
H.30 A.
H.30 B.
H.30 A.
H.30. B.
H.31 A.
H.31. B.

PLATE. 43.

PLATE 43

H26 A	IKEDE	SAKAE	Pte.
H26 B	ISHIYAMA	KAKUE	S/MAJ
H27 A	KASHIWABARA	TOMIJI	L/Cl Pte.
H27 B	KOBORI	KOKICHI	L/Cl Pte.
H28 A	KAMADA	YASUSHI	Sgt/Maj
H28 B	NISHIMURA	TAKETOMO (TAKEICHI)	S/MAJ
H29 A	KITAMURA	YUGIN	S. Pte.
H29 B	KOJIMA	TAKEO	Sgt
H30 A	KURDSAWA	HIDEO	W.O.
H30 B	KUNIMOTO	HITOSHI	Sgt.
H31 A	MAEKAWA	SEIICHI	S/MAJ
H31 B	UMINO	AKIRA	CPL



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00737

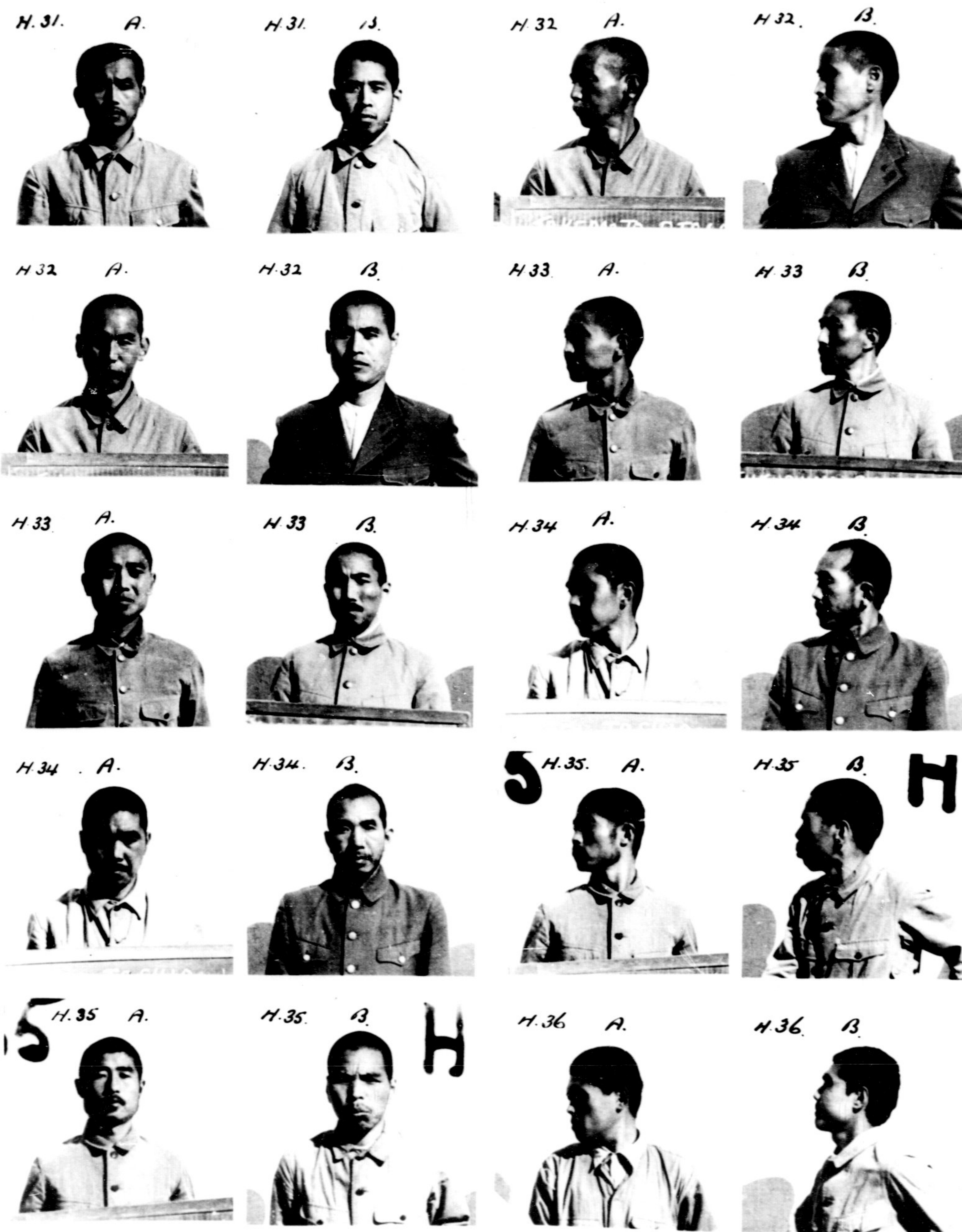
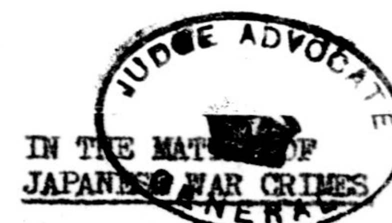


PLATE. 44.


H.31. A.
H.31. B.
H.32 A.
H.32. B.
H.32 A.
H.32 B.
H.33 A.
H.33 B.
H.33 A.
H.33 B.
H.34 A.
H.34 B.
H.34 A.
H.34. B.
5 H.35. A.
H.35 B. H
5 H.35 A.
H.35. B. H
H.36. A.
H.36. B.

PLATE 44.

H31.A	MAEKAWA	SEIICHI	S/MAJ.
H31.B	UMINO	AKIRA	CPL.
H32.A	TAKEMOTO	OTOJIRO	INT
H32.B	YATAGI	SUKEO	CAPT
H33.A	HOSHINO	NAMIJI	L/CPL
H33.B	FUKUSHIMA	SHIGERU	S/MAJ.
H34A	ITO.	TOSHIO.	SGT
H35 A	WAKISAKA	YOSHINORI	SGT
H34 B	HARA	MIYOJI	2/LT
H35 B	WATANABE	JUNSHIRO	S/MAJ.
H36 A	JINNO	HIROSHI	L/CPL
H36 B	NAKAMURA	YOSHIYO	L/CPL



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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SWORN BY the above Montague WATERS at 6, Spring Gardens in the City of Westminster this 27th Day of March 1946.

M. Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.



H.36 A.
H.36. B.
H.34. A.
H.37. B.
H.37. A.
H.37. B.
H.38.
H.38.
H.39. A.
H.39. B.
H.39. A.
H.39. B.
H.40 A.
H.40 B.
IKEDA HIROMI
H.40 A.
H.40. B.
IKEDA HIROMI
H.41. A.
H.41. B.
H.41. A.
H.41. B.

PLATE. 45.


H36 A.
H36. B.
H34 A.
H37. B.
H37. A.
H37. B.
H38
H.38.
H.39. A.
H.39. B.
H.39. A.
H.39. B.
H.40 A.
H.40 B.
H.40 A.
H.40. B.
H.41. A.
H.41 B.
H.41. A.
H.41. B.

PLATE. 45.

00742

(PLATE 45)

H36A	JINNO	HIROSHI	L/CPL
H36B	NAKAMURA	YOSHIYO	L/CPL
H37A	KONO	YUTAKA	S. PTE.
H37B	YAMASHKI	YOSHIMICHI	L/CPL
H38A	YOKOYAMA		LNT
H39A	IMAO	SADAO	S/MAJ
H39B	HONDA	ISAMU	S/MAJ
H40A	MORINO	SAKUZO	S/MAJ.
H40B	IKEDA	HIROMI	SGT.
H41A	MAEDA	ATSUYA	S/MAJ
H41B	SAITO	SHINOBU	S/MAJ.



AFFIDAVIT

I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Strret, LONDON, S.W. 1. make oath and say as follows:-

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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00743



PLATE. 46.


H.42. A.
H.42. B.
H.42. A.
H.42 B.
H.43. A.
H.43. B.
H.43. A.
H.43. B.
H.44. A.
H.44. B.
H.44. A.
H.44. B.
H.45. A.
H.45. B
H.45. A.
H.45. B.
H46. A
H.46. B
H.46.
H.46. B

PLATE 46.

(PLATE 44)

H42 A	OBA	YAKAO	S/MAJ
H42 B	SHIOZAWA	KUNIO	MAJ.
H43 A	ITOSHINYA		L/CPL
H43 B	KUDO	HAIVO	SGT.
H44A	TOYODA	MINORU	CPL
H44 B	SOEJIMA	KAYUMI	L/CPL
* H45 A	NONOYAMA	SHIYUO	SGT.
H46 A	NISHIURA	HIDEO	PTE.
H46 B	SUGAWARA	SADASHI	S/MAJ
* H45 B	YOSHIDA	TADASHI	SGT.

IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Strret, LONDON, S.W. 1. make oath and say as follows:-

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BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00746



PLATE. 47.

08747



PLATE 47.

(PLATE 47)

H47A	MINANIKAWA	YOSHIHARU	PTE.
H47B	KITAKUCHI	TADAKAYU	PTE.
H48A	KAWAMURA	YUTAKA	PTE.
H48B	OBATA	CHIKURO	LT.
H49A	YABUKI	RIKIE.	W.O.
H49B	ODA	TANPEI	W.O.
H50A	OCHIAI	KAMEKICHI	PTE.
H50B	TANIMURA	SHIGEIN	PTE.
H51A	TSUKANARA	ICHIRO	L/CPL
H51B	SHIBAMOTO	YUKIO	PTE.

IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Strret, LONDON, S.W. 1. make oath and say as follows:-

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SWORN BY the above Montague WATERS at 6, Spring Gardens in the City of Westminster this 27th Day of March 1946.

Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.67 A.
H.67 B.
H.67 A.
H.67 B.
H.68 A.
H.68 B.
H.68 A.
H.68 B.
H.69 A
H.69 B
H.69 A
H.69 B
H.70 A.
H.70
H.70 A.
HASHIMOTO
H.70 B
H.71 A
H.71 B
H.71 A.
H.71 B.

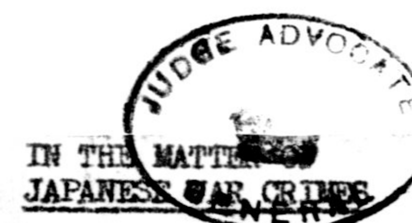
PLATE. 51.


H67 A.
H67. B.
H67 A.
H.67. B.
H68 A.
H.68 B
H.68 A.
H.68 B.
H.69 A
H.69 B
H.69 A
H.69 B
H.70 A.
H.70 A
H.70 A.
H.70 B
H.71 A
H.71 B
H.71 A.
H.71 B.

PLATE 51.

PLATE 51

H67A	YAMAGUCHI	KYOICHI	CAPT
H67B	SAGA	HIDESABURO	PTE.
H68A	HASEGAWA	SHIGEICHI	INT
H68B	MATSUTA	KENICHI	SGT
H69A	YAMAMURA	YOSHIO	L/CPL
H69B	NAKATANI	SETSUO	L/CPL
H70A	HASHIMOTO	TOZO	PTE.
H70B	KISHIDA	TERUICHI	L/Cpl
H71A	SANO	RYUTARO	PTE
H71B	MAESHIMA [illegible]	MAUSAMI	L/CPL



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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(sgd) Montague WATERS

BEFORE ME

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.72 A
H.72 B
H.72 A
H.72 B
H.73 A
H.73 B
H.73 A
H.73 B
H.74 A
H.74 B
H.74 A
H.74 B
H.75 A
H.75 B
H.75 A
H.76 A
H.76 B
H.76 A
H.76 B

PLATE. 52

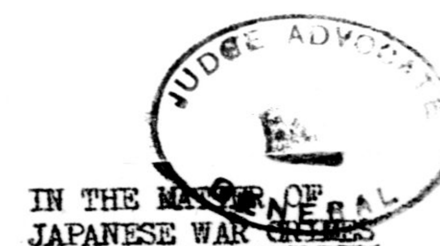

H.72 A
H.72. B
H.72 A
H.72 B
H.73 A
H.73 B
H.73. A
H.73 B
H.74 A.
H.74 B
H.74 A
H.74. B
H.75 A
H.75 B
H.75 A.
H.75
H.76 A
H.76 B
H.76 A.
H.76 B

PLATE. 52

00754

PLATE 53

H72A	SUGANUMA	SEIJI	CPL
H72B	TANABE	EIICHI	1Cl PTE
H73A	SUZUK	HIROSHI	PTE
H73B	TANABE	HIDEYOSHI	PTE
H74A	KIMORA	MASAKUZU	PTE
H74B	HYODA	YUTAKA	1Cl PTE
H75A	HAMADA	YEHICHI	1Cl PTE
H75B	INOSAKA	SHRUKIO	1Cl PTE
H76A	UMEZAKI	KATSUO	1Cl PTE
H76B	YAMAMOTO	KYOSHI	L/Cpl



IN THE MATTER OF
JAPANESE WAR CRIMES

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Montague Waters
(sgd) Montague WATERS

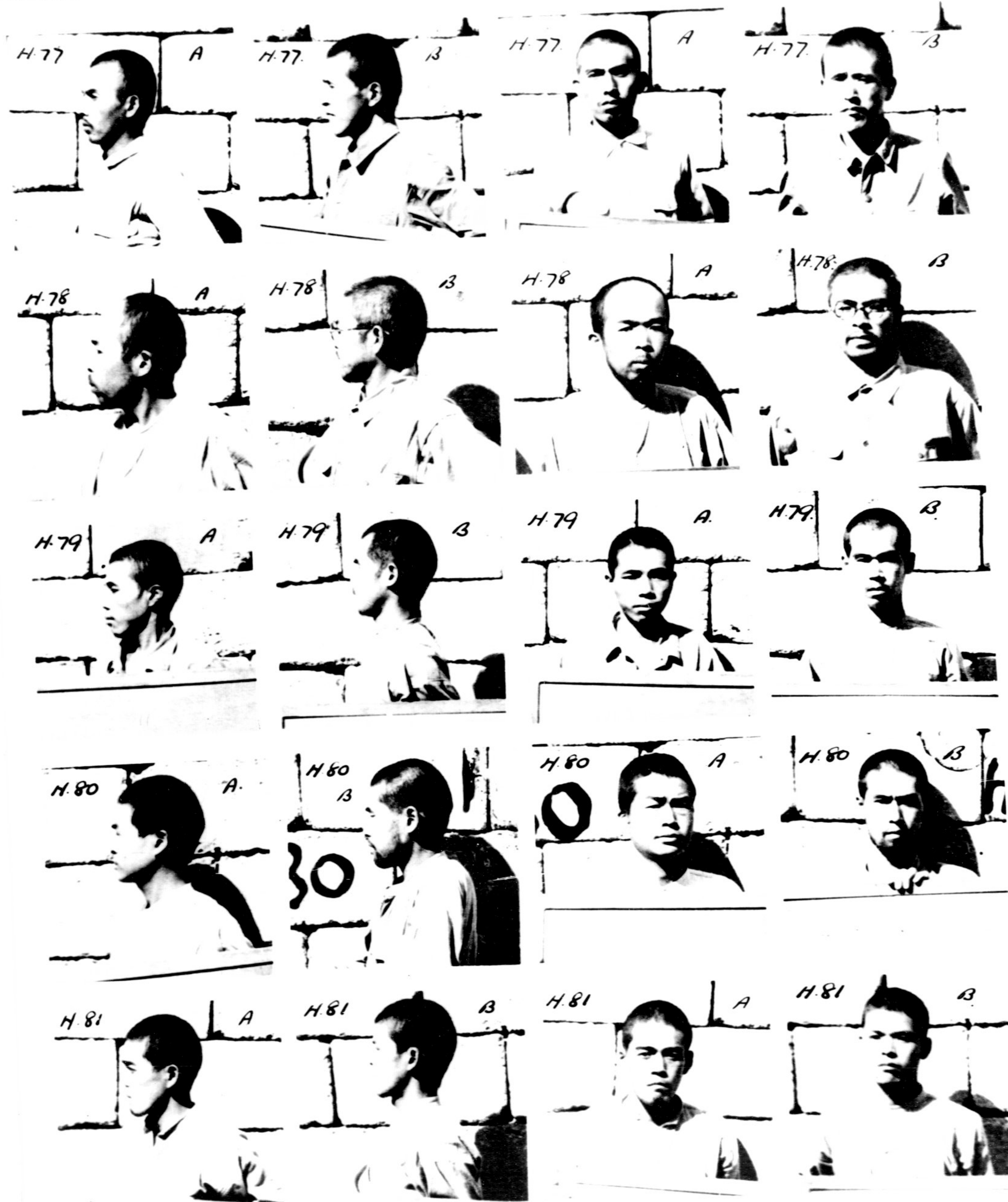
BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00755



PLATE. 53.



H.77 A
H.77 B
H.77 A
H.77 B
H.78 A
H.78 B
H.78 A
H.78 B
H.79 A
H.79 B
H.79 A.
H.79 B
H.80 A.
H.80 B
H.80 A
H.80 B
H.81 A
H.81 B
H.81 A
H.81 B

PLATE. 53

(PLATE 53)

H77A	KITA	ASAJIRO	1Cl PTE
H77B	ISHIDA	RYUICHI	1Cl PTE
H78A	KUBO	TOSHIYASU	1Cl PTE
H78B	UHARA	GEUMON	L/CPL
H79A	DATAI	ASAJERO	1Cl PTE
H79B	SUGAYA	GORO	1Cl PTE
H80A	YOSHIMURA	RAIYO	1Cl PTE
H80B	EBIZUNO	HARUO	PTE.
H81A	TANAKA	IICHIRO	L/CPL
H81B	FKAURA	MASHIRO	1Cl. PTE

IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.87 A
H.87 B
H.87 A
H.87 B
H.88 A
H.88 B
H.88 A
H.88 B
H.89 A
H.89 B
H.89 A
H.90 A
H.90 B
H.91 A
H.91 B
H.91 A
H.91 B
H.92 A
H.92 B
H.92 A

PLATE. 55.


H.87 A
H.87 B
H.87. A
H.87. B
H.88 A
H.88 B
H.88 A
H.88 B
H.89 A
H.89 B
H.89. A
10 H.90 A.
H.90 B
H.91 A
H.91. B
H.91 A
H.91 B
H.92 A
H.92 B
H.92 A

PLATE. 55.

PLATE 55

H87A	YAMAUCHI	AKIO.	PTE
H88B	MIYAMOTO	YOSHIYO.	PTE
H88A	INOMATA	YOSABURO	-
H88B	TODA	YUICHIRO	PTE.
H89A	FJIHARA	SEKIO	PTE.
H89B	MORI	SEIJI	PTE
H90A	KONO	YUTAKA	PTE
H90B	ISHIDA	SHIRO	1Cl. PTE
H91A	ITO	ICHIRO	CPL
H91B	ISOBE	FKUYUKI	1Cl PTE
H92A	SANO	KAZUO	1Cl PTE
H92B	MIYAI	KATSUTARO	.



IN THE MATTER OF
JAPANESE WAR CRIMES

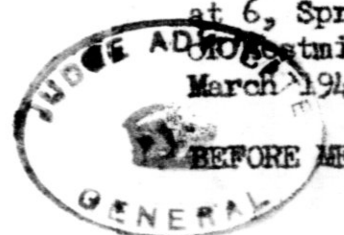
AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS



BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00761



PLATE. 56

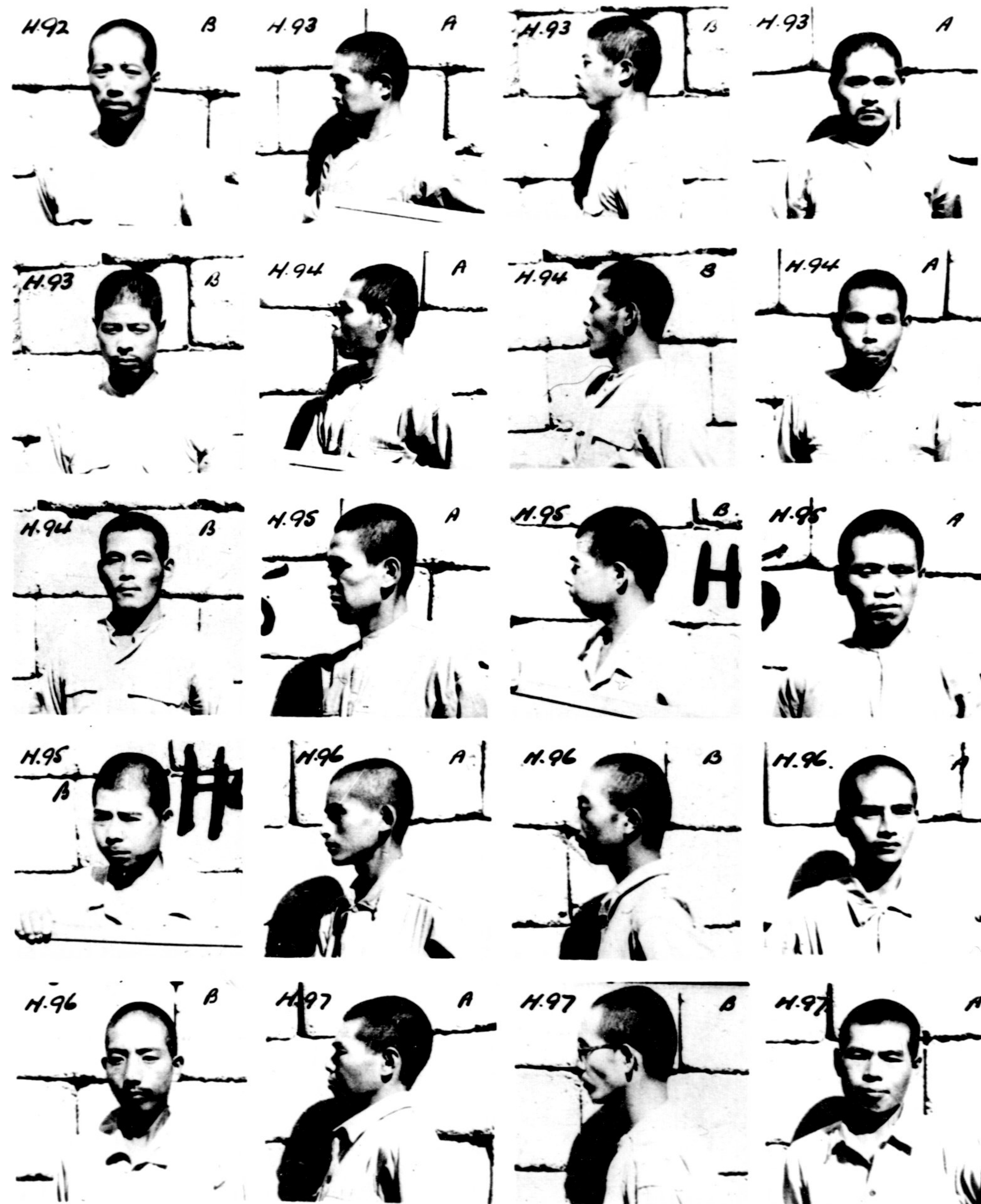
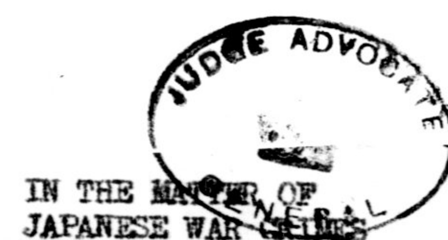

H.92 B
H.93 A
H.93 B
H.93 A
H.93 B
H.94 A
H.94 B
H.94 A
H.94 B
H.95 A
H.95 B
H.95 A
H.95 B
H.96 A
H.96 B
H.96. A
H.96 B
H.97 A
H.97 B
H.97 A

PLATE 56

PLATE 56

H92 B	MIYAI	KATSUTARO	-
H93 A	MATSUO	YASUO	PTE.
H93 B	YAMADA	MASARU	L/CPL
H94 A	NONAKA	YATSUJO	PTE
H94 B	SHIMATA	SHOJI	L/CPL
H95 A	MATSUMOTO	TADASHI	PTE
H95 B	FKUSHIMA	NIRO	PTE.
H96 A	AKIMOTO	SHIGERU	PTE.
H96 B	MINAMINO.	SHIGERU	PTE.
H97 A.	ARIMITSU	MEIJI	PTE.
H97 B.	[illegible]	[illegible]	L/CPL



IN THE MATTER OF
JAPANESE WAR CRIMES

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(sgd) Montague WATERS

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(sgd) F. HONIG

Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.



H.97 B
H.98 A
H.98 B
H.98 A
H.98 B
H.99 A
H.99 B
H.99 A
H.99 B
H.100 A
H.100 B
H.100 A
H.100 B
H.101 A
H.101 B
H.101 A
H.101 B
H.102 A
H.102 B
H.102 A

PLATE 54


H.97 B
H.98 A
H.98 B
H.98 A
H.98 B
H.99 A
H.99 B
H.99 A
H.99 B
H.100 A
H.100 B
H10
H.100 A
H.100 B
H.101 A
H.101 B
H.101 A
H.101 B
H.102 A
H.102 B
H.102 A

PLATE 54

PLATE 57

H97B	OKUMURA	GIICHI	L/Cpl
H98A	OKUBO	YETSUO	L/Cpl
H98B	KOJIMA	TOSHIO	Pte
H99A	ABI	YONEJO	L/Cpl
H99B	MIMOJE	MATSUBALHI	Pte
H100A	ASANO	KIYOSHI	Cpl
H100B	TATEISHI	HARUO	Cpl
H101A	YOSHIKAWA	KAYUMA	L/Cpl.
H101B	IDE	MASAROKU	W.O.
H102A	YOKOYAMA	SHIGERU	G. Int
H102B	OMURA	KIYOSHI	W.O.



IN THE MATTER OF
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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.102. B
H.103 A
H.103 B
H.103 A
H.103. B
H.104 A
H.104 B
H.104. A
H.104. B
H.105 A
H.105 B
H.105. A
H.106 A
H.106. B.
H.107 A.
H.107 A
H.107 B
H.108 A.

PLATE. 58.

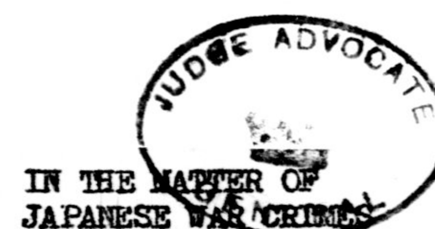
00768



PLATE. 58.

PLATE 58

H/102 B	OMURA	KIYOSHI	W.O.
H/103 A	TAKEMOTO	OTOJIRO	Civ/INT
H/103 B	OGURA.	MASATO.	SGT.
H/104 A	TAMURA	KIYOSHI	S/Maj.
H/104 B	ISHII	TITSUO	SGT.
H/105 A	YAMAGUCHI	MATSUTARO	SGT.
H/105 B	MIYAZAWA	WAHEI	SGT
H/106 A/B	WATANABE	JUNSHIRO	S/Maj.
H/107 A	ISHIKAWA	KATSURO	S/MAJ
H/107 B	MURAKAMI.	SHINICHI	S/MAJ
H/108 A	KINJO.	KINSEN.	S/MAJ.



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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(sgd) Montague WATERS

BEFORE ME

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.108 B.
H.108 A.
H.108 B.
H.109 A
B
H.109 A
H.109 B.
H.110
H.110 B
H.110 B
H.110 A.
H.111. A.
H.111 B
H.111 A.
H.111 B
H.112 A.
H.112 B
H.112 A.
B.
H.113 A

PLATE. 59.

08771



PLATE. 57.

(PLATE 59)

H108 A	KINJO	KINSEN	S/MAJ
H108 B	KO.	JUNICHI	S/MAJ
H109 B	KOIKAWA	KOKICHI	S/MAJ
H109 B	KAWAI	HISAO	SGT.
H110 A.	KUWANO	NOBUYUKI	SGT.
H110 B	AWA	ISAO	SGT.
H110 A	OZAWA	TOMOKICHI	SGT.
H111 B	KUREHA	TAKEO	SGT.
H112 A	YAMADA	HARUO	SGT
H112 B	NAGAHARA	MASAKICHI	SGT
H113 F1	TAKEDA	TSUTOMU	SGT.

IN THE MATTER OF
JAPANESE WAR CRIMES

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SWORN BY the above Montague WATERS)
at 6 Spring Gardens in the City)
of Westminster this 27th day of)
March 1946.) (sgd) Montague WATERS



BEFORE ME

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.113 B
H.113 A.
H.113 B
H.114 A
H.114 B
H.114 A.
H.114 B.
SHIMIZU
H.115
H.115 B
SHIMIZU
H.116
OKURO
H.116 B
H.116 A
H.116 B
H.117 A
H.117 B
H.117 A.
H.117 B.
H.118 A

PLATE. 60

00774



PLATE. 60

	PLATE NO.		
H113 A	TAKEDA	TSUTOMU	SGT.
H113 B	OKUMA	MASAO	SGT.
H114 A	FUJIMURA	SHOJI	L/cpl.
H114 B	ISUBOTA	KANJI	SGT.
H115 A	NISHIDA	TSUTOMI	L/cpl.
H115 B	SHIMIZU	SHISAKU	L/cpl.
H116 A	OKUBU	YOSHIO	PTE.
H116 B	WATANABE	YAMOTSU	PTE.
H117 A	NOHARA	KENICHI	S. PTE
H117 B	KOKUSHO	YASUHIKO.	L/cpl
H118 A	TAJIMA	JIRO	L/cpl.

IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS



BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00776



PLATE. 61.

08777



PLATE. 61.

(PLATE 61)

H 118 A	TAJIMA	JIRO	L/Cpl
H 118 B	TAKAHATA	TAKANITA	L/Cpl
H 119 A	URABE	TSUMORU	SGT.
H 119 B	SUGIHARA	YOSHIHARU	SGT.
H 120 A	ISHIHASHI	DAIHACHI	SGT.
H 120 B	IMAE	SADAAKI	SGT.
H 121 A	OYA	RYOSHI	SGT.
H 121 B	YOSHIMURA	KAYUYOSHI	SGT.
H 122 A	KANAGAWA	HAJIME	SGT.
H 122 B	FURUTA	TSUKUMO	S/MAJ
H 123 A	SUZUKI	YOSHIRO	SGT.

IN THE MATTER OF
JAPANESE WAR CRIMES.

AFFIDAVIT

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Montague Waters
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.123 B
H.123 A
H.123 B
H.124 A
H.124 B
H.124 A
H.124 B
H.125 A
H.125. B
H.125 A
H.125. B
H.126
H.126 B
H.126 A
B.
H.127 A
H.127 B
H.127 A
H.127 B
H.128 B

PLATE. 62.



H.123 B
H.123 A
H.123 B
H.124 A
H.124 B
H.124 A
H.124 B
H.125 A
H.125 B
H.125 A
H.125 B
H.126
H.126 B
H.126 A
H.126 B
H.127 A
H.127 B
H.127 A
H.127 B
H.128 B

PLATE. 62.

(PLATE 6th)

H123A	SUZUKI	YOSHIRO	SGT.
H123B	INOUE	RISAKU	SGT.
H124A	SUZUKI	SAIICHI	SGT.
H124B	KONDO	HIROCHI	S/MAJ
H125A	KURITA	SATORU	S/MAJ
H125B	ONO	CHUICHI	S/MAJ
H126A	IIDA	TOICHI	S/MAJ
H126B	TOMAI	NOBURU	W.O.
H127A	NAKAYAMA	TOKUSHIRO	-
H127B	MITSUTANI	SHUNKICHI	2/LT
H128B	KANAZAWA	AKAO.	L/COL

IN THE MATTER OF
JAPANESE WAR CRIMES

A F F I D A V I T

F.H. I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Street, LONDON, S.W. 1. make oath and say as follows:-

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Montague Waters.
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.128 A
H.128 B.
H.129 A
H.129 B.
H.130 A
H.130 B
H.130 A
H.130 B
H.131 A
H.131 B
H.131 A
H.131 B
H.132 A
H.132 B
H.132 A
H.132 B
H.133 A
H.133 B
H.133 A
H.133 B

PLATE. 63.

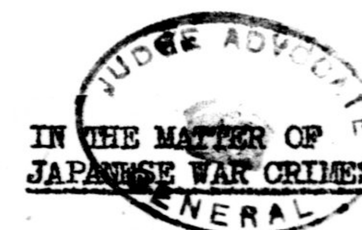
08783



PLATE. 63.

(PLATE 031)

H128 A	YATAGI	SUKEO	CAPT
H128 B	KANAZAWA	ASAO	L/COL
H129 A	TOKUNAGA	SHIGEEI	L/COL
H129 B	HARA	MIYOJI	2/LT.
H130 A	SUGIURA	TSUTOMU	W.O.
H130 B	HIRAO	YOSHIO	MAJ
H131 A	KINOSHITA	TEIICHI	W.O
H131 B	TAKASHIRA	HIDEOS	W.O.
H132 A	OGASARA	HARUTSUGU	S/MAJ
H132 B	HAYASHI	KURAKICHI	W.O.
H133 A	OTSUKI	SEIZO	S/MAJ
H133 B	YANO	TAKUHIRO	S/MAJ.



IN THE MATTER OF
JAPANESE WAR CRIMES

AFFIDAVIT

F.H. I, No. P/241869 Major Montague WATERS, Intelligence Corps, at present serving on the Staff of His Majesty's Judge Advocate General at 6, Spring Gardens, Cockspur Street, LONDON, S.W. 1. make oath and say as follows:-

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(sgd) Montague WATERS



BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00785



PLATE 64


H.134 A
H.134 B
H.134 A
H.134 B
H.135 A
H.135 B
H.135 A
H.135 B
H.136 A
H.136 B
H.136 A
H.136 B
H.137 A
H.137 B
H.137 A
H.137 B
H.138 A
H.138 B
H.138 A
H.138 B

PLATE 64

00787

	PLATE 64		
H 134 A	KIKUCHI	MASAO	PTE.
H 134 B	KIKUCHI	NAOJIRO	S/MAJ
H 135 A	IMADA	MASATOSHI	L/CPL.
H 135 B	WASHI	HIROSHI	L/CPL
H 136 A	KIMIJIMA	ICHIYO	PTE.
H 136 B	TAMAKI.	MEMOSATO	PTE.
H 137 A	YASUDA.	KANEICHI	PTE.
H 137 B	SATO.	SOICHI	PTE.
H 138 A	SAKAMOTO	ISOJI	SGT.
H 138 B	HANADA	SENJI	SGT.



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JAPANESE WAR CRIMES

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BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.


H.139 A
H.139 B
H.139 A
H.139 B
H.140 A
H.140 B
H.140. A
H.140 B
H.141 A
H.141 B
H141 A
H.141 B
H.142 A
H.142 B
H.142 A
H.142 B
H.143 A
H.143 B
ITO TOSHIO
H.143 A
H.143 B
ITO TOSHI

PLATE 65


H.139 A
H.139 B
H.139 A
H.139 B
H.140 A
H.140 B
H.140 A
H.140 B
H.141 A
H.141 B
H.141 A
H.141 B
H.142 A
H.142 B
H.142 A
H.142 B
H.143 A
H.143 B
H.143 A
H.143 B

PLATE 65

PLATE 65

H 139 A	MORISHITA.	SHOICHI.	SGT
H 139 B	UMEZAWA.	RATSUO.	SGT.
H 140 A	ISHIHARA.	DAIHI.	SGT.
H 140 A	HIRANO	FUMIO.	SGT.
H 141 A	KOMATSU	KIICHI	L/cpl.
H 141 B	KOBAYASHI.	KIIICHI	Cpl.
H 142 A	TAKABA	SADAMI.	L/cpl.
H 142 B	SANO	TOSHIHARU.	L/cpl.
H 143 A	JINNO	HIROSHI	L/cpl.
H 143 B	ITO.	TOSHIO.	SGT.

IN THE MATTER OF
JAPANESE WAR CRIMES

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(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00791



PLATE. 66.


H.144 A
H.144 B
H.144 A
H.144 B
H.145 A
H.145 B
H.145 A
H.145 B
H.146 A
H.146 B
H.146 A
H.146 B
H.147 A
H.147 B
H.147 A
H.147 B
H.148 A
H.148 B
H.148 A
H.148 B

PLATE 66.

PLATE 66

H 144 A	HARA	MIYOJI	2/LT.
H 144 B	HOSHINO	NAMAJI	PTE.
H 145 A	TAKEMOTO	OTOJIRO	INT.
H 145 B	FUKUSHIMA.	SHIGERU	S/MAJ.
H 146 A.	YATAGAI	SUKEO	CAPT.
H 146 B	NISHIMURA	TAKETOMO.	S/MAJ.
H 147 A	OHTSUKA	SEKITORO	TEMP. CIV. INT.
H 147 B	TAJIMA	JIRO.	L/Cpl.
H 148 A	MATSUMOTO	ISSEI KAZUMORI.	Sp. PTE
H 148 B	KOKUSHO	YASUHIKO.	L/Cpl.

IN THE MATTER OF
JAPANESE WAR CRIMES

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Montague Waters
(sgd) Montague WATERS

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(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00794



PLATE 67.

00795



PLATE 67.

PLATE 67

H149 A	HAYASHI	SADATARO	S/MAJ.
H149 B	HISAOKA	MOTOICHI	W.O.
H150 A	HOSHINO.	HISHAO.	CPL.
H150 B	SANO	RYUTARO.	S. PTE
H151 A	HASHIMOTO	TOZO.	L. PTE.
H151 B	FUNANO.	YOSHIO.	S. PTE.
H152 A	YAMASAKI.	HIDETSUGU	SGT.
H152 B	SASAKI.	YOSHIYO.	SGT.
H153 A	IGARASHI	SEISUKE	S. PTE
H153 B	KAKIUCHI	SHOJI.	S. PTE
H154 A	KOKE	NORIO.	W. O.

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JAPANESE WAR CRIMES

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Montague Waters.
(sgd) Montague WATERS

BEFORE ME F. Honig

(sgd) F. HONIG
Captain, Legal Staff,
Office of the Judge Advocate General,
LONDON.

00797



PLATE. 68


H.154 B
H.154 A
H.154 B
H.155 A
H.155 B
H.155 A
H.155 B
H.156 A
H.156 B
H.156 A
H.156 B
H 157 A
H 157 B.
H157A
H 157 B.

PLATE. 68